

Volume 32, Number 21

Pages 2125–2210

November 1, 2007

SALUS POPULI SUPREMA LEX ESTO

*"The welfare of the people shall be the supreme law."*



ROBIN CARNAHAN  
SECRETARY OF STATE

MISSOURI  
REGISTER

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The *Missouri Register* is published semi-monthly by

**SECRETARY OF STATE**

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ISSN 0149-2942, USPS 320-630; periodical postage paid at Jefferson City, MO  
Subscription fee: \$56.00 per year

POSTMASTER: Send change of address notices and undelivered copies to:

**MISSOURI REGISTER**  
Office of the Secretary of State  
Administrative Rules Division  
PO Box 1767  
Jefferson City, MO 65102

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# MISSOURI REGISTER



November 1, 2007

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July 15, 2008	August 15, 2008	August 31, 2008	September 30, 2008

Documents will be accepted for filing on all regular workdays from 8:00 a.m. until 5:00 p.m. We encourage early filings to facilitate the timely publication of the *Missouri Register*. Orders of Rulemaking appearing in the *Missouri Register* will be published in the *Code of State Regulations* and become effective as listed in the chart above. Advance notice of large volume filings will facilitate their timely publication. We reserve the right to change the schedule due to special circumstances. Please check the latest publication to verify that no changes have been made in this schedule. To review the entire year's schedule, please check out the website at <http://www.sos.mo.gov/adrules/pubsched.asp>

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## HOW TO CITE RULES AND RSMo

**RULES**—Cite material in the *Missouri Register* by volume and page number, for example, Vol. 28, *Missouri Register*, page 27. The approved short form of citation is 28 MoReg 27.

The rules are codified in the *Code of State Regulations* in this system—

Title	Code of State Regulations	Division	Chapter	Rule
1 Department	CSR	10- Agency, Division	1. General area regulated	010 Specific area regulated

They are properly cited by using the full citation , i.e., 1 CSR 10-1.010.

Each department of state government is assigned a title. Each agency or division within the department is assigned a division number. The agency then groups its rules into general subject matter areas called chapters and specific areas called rules. Within a rule, the first breakdown is called a section and is designated as (1). Subsection is (A) with further breakdown into paragraph 1., subparagraph A., part (I), subpart (a), item I. and subitem a.

**RSMo**—The most recent version of the statute containing the section number and the date.

**U**nder this heading will appear the text of proposed rules and changes. The notice of proposed rulemaking is required to contain an explanation of any new rule or any change in an existing rule and the reasons therefor. This is set out in the Purpose section with each rule. Also required is a citation to the legal authority to make rules. This appears following the text of the rule, after the word "Authority."

**E**ntirely new rules are printed without any special symbol under the heading of the proposed rule. If an existing rule is to be amended or rescinded, it will have a heading of proposed amendment or proposed rescission. Rules which are proposed to be amended will have new matter printed in boldface type and matter to be deleted placed in brackets.

**A**n important function of the *Missouri Register* is to solicit and encourage public participation in the rulemaking process. The law provides that for every proposed rule, amendment or rescission there must be a notice that anyone may comment on the proposed action. This comment may take different forms.

**I**f an agency is required by statute to hold a public hearing before making any new rules, then a Notice of Public Hearing will appear following the text of the rule. Hearing dates must be at least thirty (30) days after publication of the notice in the *Missouri Register*. If no hearing is planned or required, the agency must give a Notice to Submit Comments. This allows anyone to file statements in support of or in opposition to the proposed action with the agency within a specified time, no less than thirty (30) days after publication of the notice in the *Missouri Register*.

**A**n agency may hold a public hearing on a rule even though not required by law to hold one. If an agency allows comments to be received following the hearing date, the close of comments date will be used as the beginning day in the ninety (90)-day-count necessary for the filing of the order of rulemaking.

**I**f an agency decides to hold a public hearing after planning not to, it must withdraw the earlier notice and file a new notice of proposed rulemaking and schedule a hearing for a date not less than thirty (30) days from the date of publication of the new notice.

Proposed Amendment Text Reminder:

**Boldface text indicates new matter.**

*(Bracketed text indicates matter being deleted.)*

**Title 3—DEPARTMENT OF CONSERVATION**  
**Division 10—Conservation Commission**  
**Chapter 4—Wildlife Code: General Provisions**

**PROPOSED AMENDMENT**

**3 CSR 10-4.130 Owner May Protect Property; Public Safety.** The commission proposes to amend section (1).

*PURPOSE: This amendment clarifies that, in addition to provisions in this rule, federal regulations apply to control measures involving damage by migratory birds including raptors. This amendment also makes an editorial change from the singular word "turkey" to plural "turkeys."*

(1) Subject to federal regulations governing the protection of property from migratory birds (**including raptors**), any wildlife except deer, turkeys, black bears, mountain lions and any endangered species which beyond reasonable doubt is damaging property may be

captured or killed by the owner of the property being damaged, or by his/her representative, at any time and without permit, but only by shooting or trapping except by written authorization of the director or, for avian control, of his/her designee. Wildlife may be so controlled only on the owner's property to prevent further damage.

*AUTHORITY: sections 40 and 45 of Art. IV, Mo. Const. Original rule filed Aug. 15, 1973, effective Dec. 31, 1973. For intervening history, please consult the *Code of State Regulations*. Amended: Filed Sept. 27, 2007.*

*PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.*

*PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.*

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with John W. Smith, Assistant Director, Department of Conservation, PO Box 180, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.*

**Title 3—DEPARTMENT OF CONSERVATION**  
**Division 10—Conservation Commission**  
**Chapter 5—Wildlife Code: Permits**

**PROPOSED AMENDMENT**

**3 CSR 10-5.205 Permits Required; Exceptions.** The commission proposes to amend subsections (1)(D) and (F), add a new subsection (1)(G) and reletter the remaining subsections.

*PURPOSE: This amendment provides a person who has not passed a hunter education course and who was born on or after January 1, 1967 but is at least sixteen (16) years of age the opportunity to hunt in the immediate presence of a properly licensed hunter education certified adult and changes the term longbow to bow for consistency.*

(1) Any person who chases, pursues, takes, transports, ships, buys, sells, possesses or uses wildlife in any manner must first obtain the prescribed hunting, fishing, trapping or other permit, or be exempted under 3 CSR 10-9.110, with the following exceptions:

(D) Any person fifteen (15) years of age or younger may take fish, live bait, clams, mussels, turtles and frogs as provided in Chapter 6 without permit (except trout permit or daily tag in areas where prescribed); except that fish may be taken only by gig, *long*bow, crossbow, snagging, snaring, grabbing and by pole and line.

(F) Any person at least six (6) but not older than fifteen (15) years of age may purchase a Youth Deer and Turkey Hunting Permit without display of a hunter education certificate card, and may take one (1) deer of either sex statewide, during the firearms deer hunting seasons except that only an antlerless deer may be taken in seasons open only to antlerless deer; one (1) male turkey or turkey with visible beard during the spring turkey hunting season; and one (1) turkey of either sex during the fall firearms turkey hunting season; provided, s/he is hunting in the immediate presence of a properly licensed adult hunter who has in his/her possession a valid hunter education certificate card, or *[who is hunting]* in the immediate presence of a resident landowner or lessee as defined in this Code on lands owned or leased by the resident landowner or lessee, provided the resident landowner was born before January 1, 1967. Youth Deer and Turkey Hunting Permit holders, who attain the age of eleven (11) during the

prescribed permit year and have a valid hunter education certificate card, may surrender unused portion(s) of the Youth Deer and Turkey Hunting Permit and purchase other firearms deer and turkey hunting permits. Deer and turkeys taken under the Youth Deer and Turkey Hunting Permit must be included in the total season limits.

**(G) Any person born on or after January 1, 1967 and at least sixteen (16) years of age and who does not possess a valid hunter education certificate card may purchase an Apprentice Hunter Permit for no more than two (2) consecutive permit years (March 1 through the last day of February).** The Apprentice Hunter Permit allows the holder to purchase any firearms hunting permit as provided in this chapter (except the Youth Deer and Turkey Hunting Permit) without display of a hunter education certificate card. Such person must hunt in the immediate presence of a properly licensed adult hunter who is twenty-one (21) years of age or older and who has in his/her possession a valid hunter education certificate card.

**/(G) (H)** Any hospital patient may fish without permit on the grounds of the hospital where under treatment.

**/(H) (I)** The director may issue special fishing permits for specified dates without cost to supervised groups involved in rehabilitation programs or groups of hospital patients or persons with disabilities under therapy.

**/(I) (J)** The director may issue special fishing permits authorizing persons assigned as trainees to a training or rehabilitation unit performing organized conservation or agricultural work under governmental supervision on federal, state, county or municipal lands to take fish by gig and pole and line methods and to take frogs by fishing methods on the public lands where such conservation or agricultural work is being performed, under regulations applicable to the area. Any person while exercising such privileges shall carry identification, issued by the training agency, showing current assignment to the training or rehabilitation unit.

**/(J) (K)** For educational purposes, the director may waive fishing permit or tag requirements for specified periods at specified sites and may authorize fishing in restricted waters.

**/(K) (L)** Any resident of Missouri having a visual acuity not exceeding 20/200 in the better eye with maximum correction, or having twenty degrees (20°) or less field of visual concentric contraction, and any resident who is so severely and permanently disabled as to be unable to move freely without the aid of a wheelchair, may take fish, live bait, clams, mussels, turtles and frogs as provided in Chapter 6 without permit (except trout permit or daily tag in areas where prescribed); provided, while fishing s/he carries a certified statement of eligibility from a licensed ophthalmologist or optometrist or from a licensed physician.

**/(L) (M)** Any resident of Missouri with cerebral palsy or mental retardation as defined in section 630.005, RSMo, and who is so severely disabled that s/he cannot fish alone, may take fish, live bait, clams, mussels, turtles and frogs as provided in Chapter 6 without permit (except trout permit or daily tag in areas where prescribed); provided, while fishing s/he is accompanied by a licensed adult fisherman and possesses a certified statement of eligibility from a licensed physician qualified to evaluate and treat the developmentally disabled.

**/(M) (N)** Any honorably discharged resident veteran having a service-related disability of sixty percent (60%) or greater, or who was a prisoner of war during military service, may take fish, live bait, clams, mussels, turtles and frogs as provided in Chapter 6 without permit (except trout permit or daily tag in areas where prescribed), and may take wildlife as provided in Chapter 7 without permit (except deer and turkey hunting permits and the Migratory Bird Hunting Permit as prescribed); provided, while hunting or fishing s/he carries a certified statement of eligibility from the Veterans Administration.

**/(N) (O)** Any Missouri resident who is the owner of land that wholly encloses a body of water, or any member of his/her immediate household, may fish without permit in those waters. In the case of corporate ownership, this privilege shall apply to those corporate owners whose domicile is on such corporate-owned land.

**/(O) (P)** Any person may fish without permit, trout permit and prescribed area daily tag during free fishing days. Free fishing days are the Saturday and Sunday following the first Monday in June.

**/(P) (Q)** A customer or guest of a licensed trout fishing area may fish for trout without permit (see 3 CSR 10-9.645).

**AUTHORITY:** sections 40 and 45 of Art. IV, Mo. Const. Original rule filed July 22, 1974, effective Dec. 31, 1974. For intervening history, please consult the *Code of State Regulations*. Amended: Filed Sept. 27, 2007.

**PUBLIC COST:** This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

**PRIVATE COST:** This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

**NOTICE TO SUBMIT COMMENTS:** Anyone may file a statement in support of or in opposition to this proposed amendment with John W. Smith, Assistant Director, Department of Conservation, PO Box 180, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

### Title 3—DEPARTMENT OF CONSERVATION

#### Division 10—Conservation Commission Chapter 5—Wildlife Code: Permits

#### PROPOSED AMENDMENT

**3 CSR 10-5.215 Permits and Privileges: How Obtained; Not Transferable.** The commission proposes to amend section (5).

**PURPOSE:** This amendment modifies the expiration dates for several trapping permits.

(5) Permits are nontransferable and are valid from date of purchase through the last day of February of the prescribed permit year; except the Migratory Bird Hunting Permit, the Resident Trapping Permit, the Resident Cable Restraint Permit, the Resident Fur Handler Permit and the Nonresident Furbearer Hunting and Trapping Permit shall be valid through June 30, and the Resident Trapping Permit, the Resident Cable Restraint Permit and the Nonresident Furbearer Hunting and Trapping Permit shall be valid through April 10. Except as provided for permits purchased by telephone or through the Internet, no affidavit, receipt or other document may be issued or used in lieu of the required permit. Temporary permit authorization number(s) allowing immediate use of permit privileges may be provided for permits (except deer and turkey permits) purchased through the department's authorized telephone or Internet sales service provider. The temporary permit authorization number(s) and picture identification must be carried at all times while hunting, fishing or trapping until the actual permit(s) is received. Any permit issued or obtained by false statement or through fraud, or while privileges are revoked or denied by the commission, shall be invalid.

**AUTHORITY:** sections 40 and 45 of Art. IV, Mo. Const. Original rule filed July 22, 1974, effective Dec. 31, 1974. For intervening history, please consult the *Code of State Regulations*. Amended: Filed Sept. 27, 2007.

**PUBLIC COST:** This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

**PRIVATE COST:** This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

**NOTICE TO SUBMIT COMMENTS:** Anyone may file a statement in support of or in opposition to this proposed amendment with John W. Smith, Assistant Director, Department of Conservation, PO Box 180, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 3—DEPARTMENT OF CONSERVATION**  
**Division 10—Conservation Commission**  
**Chapter 5—Wildlife Code: Permits**

**PROPOSED AMENDMENT**

**3 CSR 10-5.220 Resident and Nonresident Permits.** The commission proposes to amend section (2), add a new section (3) and renumber the remaining sections.

**PURPOSE:** This amendment will ensure that immediate family members living with residents of Missouri who are employed by the United States in the District of Columbia or serving in the armed forces of the United States will receive resident permit privileges. This amendment also clarifies that members of the military stationed in Missouri must be on permanent change of station status and not on temporary duty or temporary change of station assignments.

(2) Residents of Missouri employed by the United States in the District of Columbia or serving in the armed forces of the United States, [and all members of the United States armed forces and their immediate families stationed and residing in Missouri,] and their immediate families residing with them, may receive resident permit privileges.

(3) All members of the United States armed forces stationed and residing in Missouri on permanent change of station status, and their immediate families residing with them, may receive resident permit privileges.

[(3)](4) Immigrants who possess an I-551 Resident Alien Card from the U.S. Immigration and Naturalization Service may receive resident permit privileges, provided they meet the residency requirements set out in section (1) of this rule.

[(4)](5) All persons who do not meet these qualifications shall possess a nonresident permit. Attendance at a Missouri school in itself does not constitute residency in the state.

**AUTHORITY:** sections 40 and 45 of Art. IV, Mo. Const. Original rule filed Aug. 18, 1971, effective Dec. 31, 1971. For intervening history, please consult the **Code of State Regulations**. Amended: Filed Sept. 27, 2007.

**PUBLIC COST:** This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

**PRIVATE COST:** This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

**NOTICE TO SUBMIT COMMENTS:** Anyone may file a statement in support of or in opposition to this proposed amendment with John W. Smith, Assistant Director, Department of Conservation, PO Box 180, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 3—DEPARTMENT OF CONSERVATION**  
**Division 10—Conservation Commission**  
**Chapter 5—Wildlife Code: Permits**

**PROPOSED AMENDMENT**

**3 CSR 10-5.225 Permits: Permit Issuing Agents; Service Fees; Other Provisions.** The commission proposes to amend section (6).

**PURPOSE:** This amendment allows a vendor to sell firearms hunting permits to a person who has not passed a hunter education course and who was born on or after January 1, 1967 but is at least sixteen (16) years of age so that they may hunt in the immediate presence of a properly licensed hunter education certified adult.

(6) Firearms hunting permits may not be sold to any persons born on or after January 1, 1967, unless an approved hunter education certificate card is displayed, or hunter education certification can be verified through direct access to computer data files; except that:

(A) Any firearms hunting permit (except Youth Deer and Turkey Hunting Permit) may be sold to any person born on or after January 1, 1967 and at least sixteen (16) years of age who purchases an Apprentice Hunter Permit without display of a hunter education certificate card.

(B) Youth Deer and Turkey Hunting Permits may be sold to persons at least six (6) but not older than fifteen (15) years of age without requiring display of a hunter education certificate card.

**AUTHORITY:** sections 40 and 45 of Art. IV, Mo. Const. This version of rule filed Aug. 26, 1975, effective Dec. 31, 1975. For intervening history, please consult the **Code of State Regulations**. Amended: Filed Sept. 27, 2007.

**PUBLIC COST:** This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

**PRIVATE COST:** This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

**NOTICE TO SUBMIT COMMENTS:** Anyone may file a statement in support of or in opposition to this proposed amendment with John W. Smith, Assistant Director, Department of Conservation, PO Box 180, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 3—DEPARTMENT OF CONSERVATION**  
**Division 10—Conservation Commission**  
**Chapter 5—Wildlife Code: Permits**

**PROPOSED RULE**

**3 CSR 10-5.300 Apprentice Hunter Permit**

**PURPOSE:** This rule provides for an Apprentice Hunter Permit which will allow a person born on or after January 1, 1967 but at least sixteen (16) years of age to purchase firearms hunting permits so that they may hunt without hunter education certification in the presence of a properly licensed hunter education certified adult who is twenty-one (21) years of age or older.

To allow the purchase of firearms hunting permits (except the Youth Deer and Turkey Hunting Permit) by persons born on or after January 1, 1967 and at least sixteen (16) years of age without display of a hunter education certificate card. This permit may be purchased

annually for two (2) consecutive permit years (March 1 through the last day of February). Fee: ten dollars (\$10).

*AUTHORITY: sections 40 and 45 of Art. IV, Mo. Const. Original rule filed Sept. 27, 2007.*

*PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.*

*PRIVATE COST: It is anticipated that approximately thirteen thousand five hundred (13,500) hunters may choose to purchase this permit.  $13,500 \times \$10 = \$135,000$  per year or six hundred seventy-five thousand dollars (\$675,000) in the five (5)-year aggregate.*

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with John W. Smith, Assistant Director, Department of Conservation, PO Box 180, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.*

**FISCAL NOTE  
PRIVATE ENTITY COST**

**I. RULE NUMBER**

Title: 3 - Department of Conservation
Division: 10 Conservation Commission
Chapter: 5 Permits
Type of Rulemaking: Proposed Rule
Rule Number and Name: 3 CSR 10-5.300 Apprentice Hunter Permit

**II. SUMMARY OF FISCAL IMPACT**

Estimate of the number of entities by class which would likely be affected by the adoption of the proposed rule:	Classification by types of the business entities which would likely be affected:	Estimate in the aggregate as to the cost of compliance with the rule by the affected entities:
13,500 hunters	N/A	\$675,000

**III. WORKSHEET**

13,500 hunters may choose to buy this permit in order to hunt in Missouri without hunter safety certification, under certain restrictions. 13,500 X \$10 each X 5 years = \$675,000 total aggregate cost over the 5 year term.

**IV. ASSUMPTIONS**

Number of permit buyers is based on historic sales data.

Based on Permit Year (March 1 through last day of February next following) NOT fiscal year.

Based on an average five-year life cost. All permit fees are reviewed annually and adjustments made as needed—normally within five years—to remain competitive with other states.

**Title 3—DEPARTMENT OF CONSERVATION**  
**Division 10—Conservation Commission**  
**Chapter 5—Wildlife Code: Permits**

**PROPOSED AMENDMENT**

**3 CSR 10-5.310 Resident Lifetime Conservation Partner Permit.** The commission proposes to amend subsection (1)(E).

**PURPOSE:** This amendment modifies one age category for lifetime permits, to allow persons age sixty (60) and older to buy them.

(1) To chase, pursue, take, possess and transport fish (including trout), frogs, mussels, clams, turtles, crayfish, live bait, birds (including migratory birds; except wild turkey) and mammals (except deer), and to sell furbearers taken by hunting. Fee:

(E) For persons age sixty (60) [through sixty-four (64)] and older: seventy dollars (\$70)

**AUTHORITY:** sections 40 and 45 of Art. IV, Mo. Const. Original rule filed June 20, 1995, effective Jan. 1, 1996. For intervening history, please consult the **Code of State Regulations**. Amended: Filed Sept. 27, 2007.

**PUBLIC COST:** This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

**PRIVATE COST:** This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

**NOTICE TO SUBMIT COMMENTS:** Anyone may file a statement in support of or in opposition to this proposed amendment with John W. Smith, Assistant Director, Department of Conservation, PO Box 180, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.

**Title 3—DEPARTMENT OF CONSERVATION**  
**Division 10—Conservation Commission**  
**Chapter 5—Wildlife Code: Permits**

**PROPOSED AMENDMENT**

**3 CSR 10-5.315 Resident Lifetime Fishing Permit.** The commission proposes to amend subsection (1)(E).

**PURPOSE:** This amendment modifies one age category for lifetime permits, to allow persons age sixty (60) and older to buy them.

(1) To pursue, take, possess and transport fish (including trout), frogs, mussels, clams, turtles, crayfish and live bait. Fee:

(E) For persons age sixty (60) [through sixty-four (64)] and older: Thirty-five dollars (\$35)

**AUTHORITY:** sections 40 and 45 of Art. IV, Mo. Const. Original rule filed June 20, 1995, effective Jan. 1, 1996. For intervening history, please consult the **Code of State Regulations**. Amended: Filed Sept. 27, 2007.

**PUBLIC COST:** This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

**PRIVATE COST:** This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

**NOTICE TO SUBMIT COMMENTS:** Anyone may file a statement in support of or in opposition to this proposed amendment with John W. Smith, Assistant Director, Department of Conservation, PO Box 180, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.

**Title 3—DEPARTMENT OF CONSERVATION**  
**Division 10—Conservation Commission**  
**Chapter 5—Wildlife Code: Permits**

**PROPOSED AMENDMENT**

**3 CSR 10-5.320 Resident Lifetime Small Game Hunting Permit.** The commission proposes to amend subsection (1)(E).

**PURPOSE:** This amendment modifies one age category for lifetime permits, to allow persons age sixty (60) and older to buy them.

(1) To chase, pursue, take, possess and transport birds (including migratory birds; except wild turkey), mammals (except deer) and frogs, and to sell furbearers taken by hunting. Fee:

(E) For persons age sixty (60) [through sixty-four (64)] and older: Thirty-five dollars (\$35)

**AUTHORITY:** sections 40 and 45 of Art. IV, Mo. Const. Original rule filed June 20, 1995, effective Jan. 1, 1996. For intervening history, please consult the **Code of State Regulations**. Amended: Filed Sept. 27, 2007.

**PUBLIC COST:** This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

**PRIVATE COST:** This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

**NOTICE TO SUBMIT COMMENTS:** Anyone may file a statement in support of or in opposition to this proposed amendment with John W. Smith, Assistant Director, Department of Conservation, PO Box 180, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.

**Title 3—DEPARTMENT OF CONSERVATION**  
**Division 10—Conservation Commission**  
**Chapter 6—Wildlife Code: Sport Fishing: Seasons, Methods, Limits**

**PROPOSED AMENDMENT**

**3 CSR 10-6.410 Fishing Methods.** The commission proposes to amend sections (1), (6) and (7).

**PURPOSE:** This amendment adds “atlatl” to the list of legal methods to take fish in accordance with specific regulations for species and seasons and changes the term longbow to bow for consistency.

(1) Fish may be taken by the use of pole and line, trotline, throwline, limb line, bank line, jug line, gig, [long]bow, crossbow, underwater spearfishing, snagging, snaring, [or] grabbing[,] or atlatl, but only as specifically authorized in 3 CSR 10-6.415 through 3 CSR 10-6.550. No person may attempt to take fish by rock or hand fishing, with or without hook. Live bait, mussels, clams, bullfrogs, green frogs, common snapping turtles and soft-shelled turtles may be taken

only as specifically authorized in 3 CSR 10-6.605 through 3 CSR 10-6.620.

(6) Fish not hooked in the mouth or jaw, except those legally taken by snagging, snaring, grabbing, gig, *flong/bow*, crossbow or underwater spearfishing must be returned to the water unharmed immediately.

(7) Fish legally taken by snagging, snaring, grabbing, gig, *flong/bow*, crossbow or underwater spearfishing shall be retained by the taker and included in the prescribed daily limit.

**AUTHORITY:** sections 40 and 45 of Art. IV, Mo. Const. Original rule filed June 13, 1994, effective Jan. 1, 1995. For intervening history, please consult the **Code of State Regulations**. Amended: Filed Sept. 27, 2007.

**PUBLIC COST:** This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

**PRIVATE COST:** This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

**NOTICE TO SUBMIT COMMENTS:** Anyone may file a statement in support of or in opposition to this proposed amendment with John W. Smith, Assistant Director, Department of Conservation, PO Box 180, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.

**Title 3—DEPARTMENT OF CONSERVATION**  
**Division 10—Conservation Commission**  
**Chapter 6—Wildlife Code: Sport Fishing: Seasons,**  
**Methods, Limits**

**PROPOSED AMENDMENT**

**3 CSR 10-6.510 Channel Catfish, Blue Catfish, Flathead Catfish.** The commission proposes to delete subsections (1)(D) and (4)(B).

**PURPOSE:** This amendment removes the one (1) fish daily limit and twenty-four inch (24") minimum length limit for flathead catfish at Longview Lake.

(1) Daily Limit: Ten (10) channel catfish, five (5) blue catfish and five (5) flathead catfish, except:

*[(D) On Longview Lake, the daily limit is one (1) flathead catfish.]*

(4) Length Limits: No length limits, except:

*[(B) All flathead catfish less than twenty-four inches (24") in total length must be returned to the water unharmed immediately after being caught from Longview Lake.]*

**AUTHORITY:** sections 40 and 45 of Art. IV, Mo. Const. Original rule filed June 13, 1994, effective Jan. 1, 1995. For intervening history, please consult the **Code of State Regulations**. Amended: Filed Sept. 27, 2007.

**PUBLIC COST:** This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

**PRIVATE COST:** This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

**NOTICE TO SUBMIT COMMENTS:** Anyone may file a statement in support of or in opposition to this proposed amendment with John W. Smith, Assistant Director, Department of Conservation, PO Box 180, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.

**Title 3—DEPARTMENT OF CONSERVATION**  
**Division 10—Conservation Commission**  
**Chapter 6—Wildlife Code: Sport Fishing: Seasons,**  
**Methods, Limits**

**PROPOSED AMENDMENT**

**3 CSR 10-6.530 [Rock Bass (oggle-eye)] Goggle-eye (Ozark Bass, Rock Bass and Shadow Bass) and Warmouth.** The commission proposes to amend the rule title and section (4).

**PURPOSE:** This amendment establishes an eight-inch (8") minimum length limit on rock bass in segments of Meramec River, Courtois Creek and Huzzah Creek and corrects the naming convention for rock bass.

(4) Length Limits: No length limits, except all *[rock bass]* **goggle-eye** less than eight inches (8") in total length must be returned to the water unharmed immediately after being caught on the Big Piney River from Highway 17 bridge (in Texas County) to its confluence with the Gasconade River, **Courtois Creek from Highway 8 bridge (in Crawford County) to its confluence with Huzzah Creek**, the Eleven Point River from Thomasville Access to the Arkansas line, **Huzzah Creek from Willhite Road (in Crawford County) to its confluence with the Meramec River**, **Meramec River from Highway 19 bridge (in Dent County) to Pacific Palisades Conservation Area** and the Osage Fork of the Gasconade River from Skyline Drive bridge (near Orla in Laclede County) to its confluence with the Gasconade River.

**AUTHORITY:** sections 40 and 45 of Art. IV, Mo. Const. Original rule filed June 13, 1994, effective Jan. 1, 1995. For intervening history, please consult the **Code of State Regulations**. Amended: Filed Sept. 27, 2007.

**PUBLIC COST:** This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

**PRIVATE COST:** This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

**NOTICE TO SUBMIT COMMENTS:** Anyone may file a statement in support of or in opposition to this proposed amendment with John W. Smith, Assistant Director, Department of Conservation, PO Box 180, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.

**Title 3—DEPARTMENT OF CONSERVATION**  
**Division 10—Conservation Commission**  
**Chapter 6—Wildlife Code: Sport Fishing: Seasons,**  
**Methods, Limits**

**PROPOSED AMENDMENT**

**3 CSR 10-6.540 Walleye and Sauger.** The commission proposes to amend section (3).

**PURPOSE:** This amendment clarifies when walleye and sauger may be taken and possessed when fishing in streams.

(3) Seasons: Throughout the year, except that from February 20 through April 14 walleye and sauger may be taken and possessed only between **6:30 a.m. and 6:30 p.m. Central Standard Time (CST)** **one-half (1/2) hour before sunrise to one-half (1/2) hour after sunset** in the Swan Creek Arm of Bull Shoals Lake above Highway 160 and in the unimpounded portions of all streams except the Mississippi and Missouri rivers. Walleye and sauger may not be possessed on waters or banks thereof during closed seasons or closed hours.

**AUTHORITY:** sections 40 and 45 of Art. IV, Mo. Const. Original rule filed June 13, 1994, effective Jan. 1, 1995. For intervening history, please consult the *Code of State Regulations*. Amended: Filed Sept. 27, 2007.

**PUBLIC COST:** This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

**PRIVATE COST:** This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

**NOTICE TO SUBMIT COMMENTS:** Anyone may file a statement in support of or in opposition to this proposed amendment with John W. Smith, Assistant Director, Department of Conservation, PO Box 180, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 3—DEPARTMENT OF CONSERVATION**  
**Division 10—Conservation Commission**  
**Chapter 6—Wildlife Code: Sport Fishing: Seasons, Methods, Limits**

**PROPOSED AMENDMENT**

**3 CSR 10-6.605 Live Bait.** The commission proposes to amend section (4).

**PURPOSE:** This amendment removes the length limit of twelve inches (12") on gizzard shad taken with methods permitted for live bait.

(4) Length Limits: All bluegill, green sunfish and bullheads more than five inches (5") in total length and other fish more than twelve inches (12") in total length must be returned to the water immediately after being caught by the methods prescribed in this rule, except there are no length limits for bighead carp, common carp, **gizzard shad**, goldfish, grass carp and silver carp.

**AUTHORITY:** sections 40 and 45 of Art. IV, Mo. Const. Original rule filed June 13, 1994, effective Jan. 1, 1995. For intervening history, please consult the *Code of State Regulations*. Amended: Filed Sept. 27, 2007.

**PUBLIC COST:** This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

**PRIVATE COST:** This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

**NOTICE TO SUBMIT COMMENTS:** Anyone may file a statement in support of or in opposition to this proposed amendment with John W. Smith, Assistant Director, Department of Conservation, PO Box 180,

Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 3—DEPARTMENT OF CONSERVATION**  
**Division 10—Conservation Commission**  
**Chapter 7—Wildlife Code: Hunting: Seasons, Methods, Limits**

**PROPOSED AMENDMENT**

**3 CSR 10-7.431 Deer Hunting Seasons: General Provisions.** The commission proposes to amend section (5).

**PURPOSE:** This amendment adds certain large caliber, high compression air-powered guns to the legal methods for hunting deer.

(5) Deer Hunting Methods.

(C) Any legal method: archery and muzzleloader methods; crossbows; shotguns; handguns or rifles firing centerfire ammunition; **and air-powered guns, .40 caliber or larger, charged only from an external high compression power source (external hand pump, air tank, or air compressor).**

**AUTHORITY:** sections 40 and 45 of Art. IV, Mo. Const. Original rule filed April 29, 2004, effective May 15, 2004. For intervening history, please consult the *Code of State Regulations*. Amended: Filed Sept. 27, 2007.

**PUBLIC COST:** This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

**PRIVATE COST:** This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

**NOTICE TO SUBMIT COMMENTS:** Anyone may file a statement in support of or in opposition to this proposed amendment with John W. Smith, Assistant Director, Department of Conservation, PO Box 180, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 3—DEPARTMENT OF CONSERVATION**  
**Division 10—Conservation Commission**  
**Chapter 7—Wildlife Code: Hunting: Seasons, Methods, Limits**

**PROPOSED AMENDMENT**

**3 CSR 10-7.445 Bullfrogs and Green Frogs: Seasons, Methods, Limits.** The commission proposes to amend the title of the rule and adds a parenthetical reference.

**PURPOSE:** This amendment adds green frogs to the title of the rule to more clearly describe frog species allowed to be taken by hunting methods, changes the term longbow to bow for consistency, adds a parenthetical reference to the sport fishing rule for taking frogs by fishing methods.

Bullfrogs and green frogs may be taken from sunset, June 30 through October 31, by the holder of a hunting permit with a .22 caliber or smaller rimfire rifle or pistol, pellet gun, *longbow*, crossbow, or by hand or handnet. An artificial light may be used. Daily limit: eight (8) frogs in the aggregate; possession limit: sixteen (16) frogs in the aggregate. Only the daily limit of frogs may be possessed upon the

waters and banks thereof where daily limits apply. (See 3 CSR 10-6.615 for taking frogs by fishing methods.)

**AUTHORITY:** sections 40 and 45 of Art. IV, Mo. Const. Original rule filed Aug. 18, 1971, effective Dec. 31, 1971. For intervening history, please consult the **Code of State Regulations**. Amended: Filed Sept. 27, 2007.

**PUBLIC COST:** This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

**PRIVATE COST:** This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

**NOTICE TO SUBMIT COMMENTS:** Anyone may file a statement in support of or in opposition to this proposed amendment with John W. Smith, Assistant Director, Department of Conservation, PO Box 180, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.

**Title 3—DEPARTMENT OF CONSERVATION**  
**Division 10—Conservation Commission**  
**Chapter 7—Wildlife Code: Hunting: Seasons, Methods,**  
**Limits**

**PROPOSED AMENDMENT**

**3 CSR 10-7.450 Furbearers: Hunting Seasons, Methods.** The commission proposes to amend section (2).

**PURPOSE:** This amendment clarifies privileges for furbearer hunters, providing better understanding of the regulations.

(2) Tagged bobcats or their pelts may be possessed [*and sold*] by the taker throughout the year, and may be sold only to a licensed taxidermist, tanner or fur dealer as provided in Chapter 10. It shall be illegal to purchase or sell untagged bobcats or their pelts. Other pelts may be delivered or shipped and consigned by the taker to a licensed taxidermist or tanner before the close of the possession season for pelts. These pelts must be recorded by the taxidermist or tanner and shall not enter the raw fur market. After tanning, pelts may be possessed, bought or sold without permit. Skinned carcasses of legally taken furbearers may be sold by the taker throughout the year.

**AUTHORITY:** sections 40 and 45 of Art. IV, Mo. Const. Original rule filed Aug. 16, 1972, effective Dec. 31, 1972. For intervening history, please consult the **Code of State Regulations**. Amended: Filed Sept. 27, 2007.

**PUBLIC COST:** This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

**PRIVATE COST:** This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

**NOTICE TO SUBMIT COMMENTS:** Anyone may file a statement in support of or in opposition to this proposed amendment with John W. Smith, Assistant Director, Department of Conservation, PO Box 180, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.

**Title 3—DEPARTMENT OF CONSERVATION**  
**Division 10—Conservation Commission**  
**Chapter 8—Wildlife Code: Trapping: Seasons, Methods**

**PROPOSED AMENDMENT**

**3 CSR 10-8.515 Furbearers: Trapping Seasons.** The commission proposes to amend section (7).

**PURPOSE:** This amendment corrects the name of a particular permit that was changed previously.

(7) Red fox, gray fox and coyotes may be taken alive during established seasons by prescribed methods and held in captivity. They may not be exported and may only be sold or given to holders of a valid Hound Running Area Operator's/ and Dealer Permit. Live coyotes, red fox and gray fox may not be possessed after February 15. These animals may be held for no longer than seventy-two (72) hours after capture, except when confined in facilities and cared for as specified in 3 CSR 10-9.220, and after approval by an agent of the department. Complete and current records of all transactions must be maintained showing the county of origin, the species, date captured, date of transfer and name and permit number of the hound running area operator/dealer receiving each individual animal. These records shall be kept on forms provided by the department and submitted to an agent of the department by April 15. Records shall be made available for inspection by an authorized agent of the department at any reasonable time.

**AUTHORITY:** sections 40 and 45 of Art. IV, Mo. Const. Original rule filed July 23, 1974, effective Dec. 31, 1974. For intervening history, please consult the **Code of State Regulations**. Amended: Filed Sept. 27, 2007.

**PUBLIC COST:** This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

**PRIVATE COST:** This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

**NOTICE TO SUBMIT COMMENTS:** Anyone may file a statement in support of or in opposition to this proposed amendment with John W. Smith, Assistant Director, Department of Conservation, PO Box 180, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.

**Title 3—DEPARTMENT OF CONSERVATION**  
**Division 10—Conservation Commission**  
**Chapter 9—Wildlife Code: Confined Wildlife: Privileges, Permits, Standards**

**PROPOSED AMENDMENT**

**3 CSR 10-9.353 Privileges of Class I and Class II Wildlife Breeders.** The commission proposes to add a new section (11) and amend section (16) and renumber subsequent sections.

**PURPOSE:** This amendment will require owners of black bears, mountain lions, and gray wolves, and all such hybrids, to have their confined animals tagged in such a way that each individual animal held under this permit is identifiable via a Passive Integrated Transportation tag (PIT tag) and to have a DNA sample of each animal cataloged with the department.

**(11) All black bears and black bear-hybrids, mountain lions and mountain lion-hybrids, and wolves and wolf-hybrids defined as Class II wildlife in 3 CSR 10-9.240 and introduced into a Class II wildlife breeder operation and/or currently held under such permit are subject to the following requirements:**

(A) Within sixty (60) days of birth or acquisition, animals shall be permanently tagged or marked with an identification number via a subcutaneous microchip Passive Integrated Transportation tag (PIT tag) provided by the department implanted along the animal's back between the shoulder blades, which uniquely identifies each individual animal.

(B) A blood or tissue sample sufficient for DNA analysis and registration for each animal shall be submitted to the department within sixty (60) days of birth or acquisition.

(C) The holder of a Class II wildlife breeder permit shall report the death, sale or transfer of any animal within three (3) days to an agent of the department, including the identification number from the animal's subcutaneous microchip. Microchips shall not be reused in other animals.

*/(11) (12)* All elk, elk-hybrids, mule deer, and white-tailed deer, defined as Class I wildlife in 3 CSR 10-9.230, introduced into a Class I wildlife breeder operation shall meet the following requirements:

(A) Animals shall be tagged or marked in a method allowing each individual animal to be uniquely identified.

(B) Animals must meet all state and federal chronic wasting disease testing requirements.

(C) Animals imported into Missouri must come from a herd that is enrolled and has achieved a status five (5) or higher in a United States Department of Agriculture approved or state-sponsored chronic wasting disease monitoring program—five (5) years of surveillance, advancement, and successful completion of program requirements.

(D) Animals from within Missouri must come from a herd comprised of animals enrolled in a United States Department of Agriculture approved or state-sponsored chronic wasting disease monitoring program.

*/(12) (13)* Effective January 1 of each year, one hundred percent (100%) of all elk, elk-hybrids, mule deer, and white-tailed deer, defined as Class I wildlife in 3 CSR 10-9.230, over twelve (12) months of age that die of any cause within a Class I wildlife breeder operation, shall be tested for chronic wasting disease at a federally approved laboratory, up to an annual total of ten (10) animals in the aggregate; except that one hundred percent (100%) of all elk, elk-hybrids, mule deer and white-tailed deer that are imported into Missouri that die of any cause within a Class I wildlife breeder operation shall be tested for chronic wasting disease at a federally approved laboratory.

*/(13) (14)* All permits issued by the state veterinarian's office allowing cervids to enter Missouri and all chronic wasting disease test results must be kept by the permittee and are subject to inspection by an agent of the department at any reasonable time. All test results documenting a positive case of chronic wasting disease shall be reported immediately to an agent of the department.

*/(14) (15)* The holder of a Class I or Class II wildlife breeder permit may exhibit wildlife at locations other than those listed on the permit.

*/(15) (16)* Any sale, shipment or gift of wildlife by a Class I or Class II wildlife breeder shall be accompanied by a written statement giving his/her permit number and showing the number of each species and the name and address of the recipient. No wildlife of any kind may be liberated unless specific permission has been grant-

ed on written application to the conservation agent in the *[district]* county where the release is to be made.

*/(16) (17)* None of these privileges shall extend to permitting the act of hunting for such stock except that big game mammals may be killed for purposes of herd management by the permit holder or his/her agents, but only with authorization from an agent of the department.

*/(17) (18)* The holder of a Class I or Class II wildlife breeder permit shall report escaped animals immediately to an agent of the department.

*/(18) (19)* The holder of a Class I wildlife breeder permit may sell legally acquired game bird eggs or dressed or processed quail, pheasants and partridges at retail and to commercial establishments under provisions of 3 CSR 10-10.743, provided all sales are accompanied by a valid invoice and the required records are maintained by the wildlife breeder.

*/(19) (20)* Animal health standards and movement activities shall comply with all state and federal regulations.

*AUTHORITY:* sections 40 and 45 of Art. IV, Mo. Const. This rule was previously filed as 3 CSR 10-10.755. Original rule filed Aug. 18, 1970, effective Dec. 31, 1970. For intervening history, please consult the *Code of State Regulations*. Amended: Filed Sept. 27, 2007.

*PUBLIC COST:* This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

*PRIVATE COST:* This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

*NOTICE TO SUBMIT COMMENTS:* Anyone may file a statement in support of or in opposition to this proposed amendment with John W. Smith, Assistant Director, Department of Conservation, PO Box 180, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

### Title 3—DEPARTMENT OF CONSERVATION

#### Division 10—Conservation Commission

#### Chapter 9—Wildlife Code: Confined Wildlife: Privileges, Permits, Standards

#### PROPOSED AMENDMENT

**3 CSR 10-9.359 Class I and Class II Wildlife Breeder: Records Required.** The commission proposes to amend provisions of this rule.

*PURPOSE:* This amendment makes it clear that wildlife breeders who consign wildlife to another person, or who act as a broker for others, must maintain a record of those transactions.

Each Class I and Class II wildlife breeder shall maintain a current record, by date, of all transactions showing the place of origin and the numbers and species of wildlife which were possessed, propagated, bought, sold, **consigned**, **brokered**, transported, shipped, given away, used, or which have died, on forms provided by the department. These records and applicable state and federal animal health records and permits for each animal shall be maintained on the

premises of the wildlife breeder and shall be subject to inspection by an authorized agent of the department at any reasonable time.

**AUTHORITY:** sections 40 and 45 of Art. IV, Mo. Const. This rule was previously filed as 3 CSR 10-10.753. This version of rule filed Aug. 16, 1973, effective Dec. 31, 1973. For intervening history, please consult the **Code of State Regulations**. Amended: Filed Sept. 27, 2007.

**PUBLIC COST:** This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

**PRIVATE COST:** This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

**NOTICE TO SUBMIT COMMENTS:** Anyone may file a statement in support of or in opposition to this proposed amendment with John W. Smith, Assistant Director, Department of Conservation, PO Box 180, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.

**Title 3—DEPARTMENT OF CONSERVATION**  
**Division 10—Conservation Commission**  
**Chapter 10—Wildlife Code: Commercial Permits:**  
**Seasons, Methods, Limits**

**PROPOSED AMENDMENT**

**3 CSR 10-10.711 Resident Fur Handlers Permit.** The commission proposes to amend provisions of this rule.

**PURPOSE:** This amendment corrects the dates for which this permit is allowed, in accord with previous changes in furbearer hunting and trapping season dates.

To possess, process, transport and ship legally taken pelts and carcasses of furbearers from [March 2] February 16 through June 1. Possession of the appropriate resident hunting or trapping permit to take furbearers, or evidence of exemption, is required as a prerequisite to this permit. Pelts and carcasses of furbearers taken by others may not be possessed under this permit. Pelts sold by the permittee within Missouri to a fur dealer must be fleshed, stretched and dried. Fee: ten dollars (\$10).

**AUTHORITY:** sections 40 and 45 of Art. IV, Mo. Const. Original rule filed Oct. 13, 2005, effective March 30, 2006. Amended: Filed Sept. 27, 2007.

**PUBLIC COST:** This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

**PRIVATE COST:** This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

**NOTICE TO SUBMIT COMMENTS:** Anyone may file a statement in support of or in opposition to this proposed amendment with John W. Smith, Assistant Director, Department of Conservation, PO Box 180, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.

**Title 3—DEPARTMENT OF CONSERVATION**  
**Division 10—Conservation Commission**  
**Chapter 10—Wildlife Code: Commercial Permits:**  
**Seasons, Methods, Limits**

**PROPOSED AMENDMENT**

**3 CSR 10-10.720 Commercial Fishing Permit.** The commission proposes to amend section (1).

**PURPOSE:** This amendment makes the privileges of this permit more inclusive and aids in enforcement of the commercial fishing regulations regarding possession of fish by commercial fishing permittees.

(1) To take and possess commercial fish from commercial waters and to sell [commercial] such fish in accordance with 3 CSR 10-10.725.

Resident fee:	\$ 25
Nonresident fee:	\$200

**AUTHORITY:** sections 40 and 45 of Art. IV, Mo. Const. Original rule filed Aug. 16, 1973, effective Dec. 31, 1973. For intervening history, please consult the **Code of State Regulations**. Amended: Filed Sept. 27, 2007.

**PUBLIC COST:** This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

**PRIVATE COST:** This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

**NOTICE TO SUBMIT COMMENTS:** Anyone may file a statement in support of or in opposition to this proposed amendment with John W. Smith, Assistant Director, Department of Conservation, PO Box 180, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.

**Title 3—DEPARTMENT OF CONSERVATION**  
**Division 10—Conservation Commission**  
**Chapter 10—Wildlife Code: Commercial Permits:**  
**Seasons, Methods, Limits**

**PROPOSED AMENDMENT**

**3 CSR 10-10.722 Resident Shovelnose Sturgeon Commercial Harvest Permit.** The commission proposes to amend provisions of this rule.

**PURPOSE:** This amendment makes the privileges of this permit more comprehensive and aids in enforcement of the commercial fishing regulations regarding possession of shovelnose sturgeon by commercial fishing permittees.

Required in addition to the Commercial Fishing Permit to take and possess shovelnose sturgeon from the Missouri and Mississippi rivers in accordance with 3 CSR 10-10.725. Fee: Five hundred dollars (\$500).

**AUTHORITY:** sections 40 and 45 of Art. IV, Mo. Const. Original rule filed Dec. 30, 2003, effective July 1, 2004. Amended: Filed Sept. 14, 2005, effective Feb. 28, 2006. Amended: Filed May 23, 2006, effective Oct. 30, 2006. Amended: Filed Sept. 27, 2007.

**PUBLIC COST:** This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

**PRIVATE COST:** This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

**NOTICE TO SUBMIT COMMENTS:** Anyone may file a statement in support of or in opposition to this proposed amendment with John W. Smith, Assistant Director, Department of Conservation, PO Box 180, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

### **Title 3—DEPARTMENT OF CONSERVATION**

#### **Division 10—Conservation Commission**

#### **Chapter 10—Wildlife Code: Commercial Permits: Seasons, Methods, Limits**

#### **PROPOSED AMENDMENT**

**3 CSR 10-10.724 Nonresident Mississippi River Shovelnose Sturgeon Commercial Harvest Permit.** The commission proposes to amend provisions of this rule.

**PURPOSE:** This amendment makes the privileges of this permit more comprehensive and aids in enforcement of the commercial fishing regulations regarding possession of shovelnose sturgeon by commercial fishing permittees.

Required for nonresidents of Missouri in addition to the Commercial Fishing Permit to take **and possess** shovelnose sturgeon from the Mississippi River in accordance with 3 CSR 10-10.725; except that any person properly licensed to harvest shovelnose sturgeon by the state of Tennessee may fish within, and harvest shovelnose sturgeon from, the Missouri portion of the Mississippi River adjacent to Tennessee, as permitted by this Code. Fee: Five hundred dollars (\$500).

**AUTHORITY:** sections 40 and 45 of Art. IV, Mo. Const. Original rule filed Sept. 14, 2005, effective Feb. 28, 2006. Amended: Filed May 23, 2006, effective June 15, 2006. Amended: Filed Sept. 27, 2007.

**PUBLIC COST:** This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

**PRIVATE COST:** This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

**NOTICE TO SUBMIT COMMENTS:** Anyone may file a statement in support of or in opposition to this proposed amendment with John W. Smith, Assistant Director, Department of Conservation, PO Box 180, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

### **Title 3—DEPARTMENT OF CONSERVATION**

#### **Division 10—Conservation Commission**

#### **Chapter 10—Wildlife Code: Commercial Permits: Seasons, Methods, Limits**

#### **PROPOSED AMENDMENT**

**3 CSR 10-10.725 Commercial Fishing: Seasons, Methods.** The commission proposes to amend section (1) and subsections (1)(B) and (C).

**PURPOSE:** This amendment provides an aid to enforcement of this rule in those instances in which the actual "take" of the fish may not have been observed.

(1) Commercial fish, and live bait for personal use, may be taken **and possessed** in any numbers by the holder of a commercial fishing permit from commercial waters with seines, gill nets, trammel nets, hoop nets with or without wings, trotlines, throwlines, limb lines, bank lines or jug or block lines and any number of hooks, except:

(B) On the Missouri River downstream from U.S. Highway 169 to Carl R. Noren Access and downstream from Chamois Access to its confluence with the Mississippi River, where shovelnose sturgeon twenty-four inches (24") to thirty inches (30") in length (measured from tip of snout to fork of tail) may be taken **and possessed** only from November 1 through May 15 and only by the holder of a Resident Shovelnose Sturgeon Commercial Harvest Permit. (Endangered species as listed in 3 CSR 10-4.111(3), including lake sturgeon and pallid sturgeon, may not be taken or possessed, and must be returned to the water unharmed immediately after being caught.)

(C) On portions of the Mississippi River defined as commercial waters where shovelnose sturgeon twenty-four inches (24") to thirty-two inches (32") in length (measured from tip of snout to fork of tail) may be taken **and possessed** only from October 15 through May 15 and only by holders of a Resident Shovelnose Sturgeon Commercial Harvest Permit or Nonresident Mississippi River Shovelnose Sturgeon Commercial Harvest Permit.

**AUTHORITY:** sections 40 and 45 of Art. IV, Mo. Const. Original rule filed Aug. 16, 1973, effective Dec. 31, 1973. For intervening history, please consult the *Code of State Regulations*. Amended: Filed Sept. 27, 2007.

**PUBLIC COST:** This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

**PRIVATE COST:** This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

**NOTICE TO SUBMIT COMMENTS:** Anyone may file a statement in support of or in opposition to this proposed amendment with John W. Smith, Assistant Director, Department of Conservation, PO Box 180, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

### **Title 3—DEPARTMENT OF CONSERVATION**

#### **Division 10—Conservation Commission**

#### **Chapter 10—Wildlife Code: Commercial Permits: Seasons, Methods, Limits**

#### **PROPOSED AMENDMENT**

**3 CSR 10-10.767 Taxidermy; Tanning: Permit, Privileges, Requirements.** The commission proposes to amend sections (3) and (5).

**PURPOSE:** This amendment clarifies the provisions for purchase and sale of furbearer pelts by taxidermists and tanners.

(3) Legally taken and possessed furbearers may be purchased by licensed taxidermists or tanners **only from the taker or a licensed fur dealer and only for mounting or tanning.** *I, and o/*Only mounted or tanned specimens, **and not raw pelts,** may be sold by taxidermists and tanners.

(5) **Raw /P/pelts held under this permit after possession season for pelts shall not enter the raw fur market.** All wildlife held by a licensed taxidermist or tanner shall be identifiable to the consignor. Unused parts of wildlife may be disposed of or sold by licensed taxidermists or tanners, but not for human consumption. Federal regulations apply to the mounting of migratory birds and endangered species.

**AUTHORITY:** sections 40 and 45 of Art. IV, Mo. Const. Original rule filed Aug. 27, 1975, effective Dec. 31, 1975. For intervening history, please consult the **Code of State Regulations.** Amended: Filed Sept. 27, 2007.

**PUBLIC COST:** This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

**PRIVATE COST:** This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

**NOTICE TO SUBMIT COMMENTS:** Anyone may file a statement in support of or in opposition to this proposed amendment with John W. Smith, Assistant Director, Department of Conservation, PO Box 180, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register.** No public hearing is scheduled.

**Title 3—DEPARTMENT OF CONSERVATION**  
**Division 10—Conservation Commission**  
**Chapter 11—Wildlife Code: Special Regulations for**  
**Department Areas**

**PROPOSED AMENDMENT**

**3 CSR 10-11.115 Closings.** The commission proposes to amend sections (1), (2) and (4), add a new section (3) and renumber subsequent sections.

**PURPOSE:** This amendment standardizes hours for public use on department lands and corrects the spelling of the word gage.

(1) Department areas are *[closed]* open to public use **only** from *[10:00 p.m. to 4:00 a.m.]* **4:00 a.m. to 10:00 p.m.** daily; however, hunting, fishing, trapping, dog training, camping, launching boats and landing boats are permitted at any time in areas where these activities are authorized, except as otherwise provided in this chapter.

(2) Any department area may be opened during closed hours for department sponsored events or programs. Parking or storage of watercraft and commercial vehicles is prohibited during the closed hours.

*[(A) On Blind Pony Lake Conservation Area, Little Dixie Lake Conservation Area and Riverwoods Conservation Area, all public use is prohibited from 10:00 p.m. to 4:00 a.m. daily.]*

*(B) On August A. Busch Memorial Conservation Area, all public use is prohibited from 10:00 p.m. to 6:00 a.m. daily, except for authorized hunting and fishing activities.*

*(C) On Columbia Bottom Conservation Area, Ronald and Maude Hartell Conservation Area and James A. Reed Memorial Wildlife Area, all public use is prohibited from 10:00 p.m. to 6:00 a.m. daily from April 1 through September 30, and from 7:00 p.m. to 6:00 a.m. daily from October 1 through March 31, except for authorized hunting and fishing activities.*

*(D) On Powder Valley Conservation Nature Center, all public use is prohibited from 8:00 p.m. to 6:00 a.m. daily from April 1 through October 31, and from 6:00 p.m. to 6:00 a.m. daily from November 1 through March 31.*

*(E) On Conservation Commission Headquarters and Runge Conservation Nature Center, all public use is prohibited from 9:00 p.m. to 6:00 a.m. daily from April 1 through October 31, and from 6:00 p.m. to 6:00 a.m. daily from November 1 through March 31.*

*(F) On Springfield Conservation Nature Center, all public use is prohibited from 9:00 p.m. to 6:00 a.m. daily from March 1 through October 31, and from 6:00 p.m. to 6:00 a.m. daily from November 1 through February 28.*

*(G) On Bellefontaine Conservation Area, Rockwoods Range and Rockwoods Reservation, all public use is prohibited from one-half (1/2) hour after sunset to sunrise daily.]*

(3) Department lands associated with offices, education centers, nature centers, hatcheries, staffed shooting ranges and the following conservation areas are open to public use only as authorized by posting:

- (A) Beckemeier (August G.) Conservation Area
- (B) Bellefontaine Conservation Area
- (C) Blind Pony Lake Conservation Area
- (D) Columbia Bottom Conservation Area
- (E) Goodson (Jean and Joan) Conservation Area
- (F) Gravois Creek Conservation Area
- (G) Hartell (Ronald and Maude) Conservation Area
- (H) Hickory Woods Conservation Area
- (I) Klamberg (Roger) Woods Conservation Area
- (J) Little Dixie Lake Conservation Area
- (K) Phantom Forest Conservation Area
- (L) Reed (James A.) Memorial Wildlife Area
- (M) Rockwoods Range
- (N) Rockwoods Reservation
- (O) Wild Cherry Ridge Conservation Area

*[(2)](4) The following department areas are closed during high waters:*

(A) On Donaldson Point Conservation Area, all public use is prohibited, except fishing and waterfowl hunting by boat, when the Mississippi River water level is at or above thirty-four feet (34') on the New Madrid *ga/uge.*

(B) On Seven Island Conservation Area, all public use is prohibited, except fishing and waterfowl hunting by boat, when the Mississippi River water level is at or above forty-three feet (43') on the Cairo *gauge, Illinois gaging station.*

(C) On Hornersville Swamp Conservation Area, all public use is prohibited, except fishing and waterfowl hunting by boat, when the water level is at or above two hundred thirty-nine feet (239') on the Hornersville *ga/uge.*

*[(3)](5) The following department areas are closed to protect waterfowl:*

(A) On Stockton Lake waterfowl refuge, hunting, fishing, trapping, boating and vehicles are prohibited from October 15 through the area's prescribed duck season on all Corps of Engineers lands and waters on and adjacent to the Little Sac Arm between the Highway 123 bridge on the west, the high bank of Stockton Lake on the south, Highway T on the north, and the area boundary on the east.

(B) On the portion of Ralph and Martha Perry Memorial Conservation Area which has been designated a waterfowl refuge, hunting, fishing, trapping, boating, entry by the public and vehicles are prohibited from October 15 through the close of the waterfowl season.

*AUTHORITY:* sections 40 and 45 of Art. IV, Mo. Const. This rule previously filed as 3 CSR 10-4.115. Original rule filed April 30, 2001, effective Sept. 30, 2001. For intervening history, please consult the *Code of State Regulations*. Amended: Filed Sept. 27, 2007.

*PUBLIC COST:* This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

*PRIVATE COST:* This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

*NOTICE TO SUBMIT COMMENTS:* Anyone may file a statement in support of or in opposition to this proposed amendment with John W. Smith, Assistant Director, Department of Conservation, PO Box 180, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 3—DEPARTMENT OF CONSERVATION**  
**Division 10—Conservation Commission**  
**Chapter 11—Wildlife Code: Special Regulations for**  
**Department Areas**

**PROPOSED AMENDMENT**

**3 CSR 10-11.120 Pets and Hunting Dogs.** The commission proposes to delete paragraph (1)(A)1. and renumber subsequent paragraphs.

*PURPOSE:* This amendment removes restrictions regarding pets and hunting dogs on Bellefontaine Conservation Area.

(1) Pets and hunting dogs are permitted but must be on a leash or confined at all times, except as otherwise provided by signs, area brochures or this chapter.

(A) Pets and hunting dogs are prohibited on the following department areas:

- [1. Bellefontaine Conservation Area]
- /2.] 1. Burr Oak Woods Conservation Area
- /3.] 2. Cape Girardeau Conservation Campus Nature Center
- /4.] 3. Engelmann Woods Natural Area
- /5.] 4. Powder Valley Conservation Nature Center
- /6.] 5. Rockwoods Reservation
- /7.] 6. Runge Conservation Nature Center
- /8.] 7. Springfield Conservation Nature Center

*AUTHORITY:* sections 40 and 45 of Art. IV, Mo. Const. This rule previously filed as 3 CSR 10-4.115. Original rule filed April 30, 2001, effective Sept. 30, 2001. Amended: Filed Sept. 29, 2004, effective Feb. 28, 2005. Amended: Filed March 6, 2006, effective Aug. 30, 2006. Amended: Filed Sept. 27, 2007.

*PUBLIC COST:* This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

*PRIVATE COST:* This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

*NOTICE TO SUBMIT COMMENTS:* Anyone may file a statement in support of or in opposition to this proposed amendment with John W. Smith, Assistant Director, Department of Conservation, PO Box 180, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 3—DEPARTMENT OF CONSERVATION**  
**Division 10—Conservation Commission**  
**Chapter 11—Wildlife Code: Special Regulations for**  
**Department Areas**

**PROPOSED AMENDMENT**

**3 CSR 10-11.135 Wild Plants, Plant Products, and Mushrooms.** The commission proposes to amend subsection (1)(A).

*PURPOSE:* This amendment adds Twin Pines Conservation Education Center to the list of areas where harvesting wild edibles is prohibited.

(1) Nuts, berries, fruits, edible wild greens and mushrooms may be taken only for personal consumption, unless further restricted in this chapter.

(A) On Cape Girardeau Conservation Campus Nature Center, Conservation Commission Headquarters, Powder Valley Conservation Nature Center, Runge Conservation Nature Center, [and] Springfield Conservation Nature Center **and Twin Pines Conservation Education Center**, taking of nuts, berries, fruits, edible wild greens and mushrooms is prohibited.

*AUTHORITY:* sections 40 and 45 of Art. IV, Mo. Const. This rule previously filed as 3 CSR 10-4.115. Original rule filed April 30, 2001, effective Sept. 30, 2001. Amended: Filed March 6, 2006, effective Aug. 30, 2006. Amended: Filed Sept. 27, 2007.

*PUBLIC COST:* This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

*PRIVATE COST:* This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

*NOTICE TO SUBMIT COMMENTS:* Anyone may file a statement in support of or in opposition to this proposed amendment with John W. Smith, Assistant Director, Department of Conservation, PO Box 180, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 3—DEPARTMENT OF CONSERVATION**  
**Division 10—Conservation Commission**  
**Chapter 11—Wildlife Code: Special Regulations for**  
**Department Areas**

**PROPOSED AMENDMENT**

**3 CSR 10-11.160 Use of Boats and Motors.** The commission proposes to amend section (1).

*PURPOSE:* This amendment clarifies regulations allowing the use of boats on most department areas and establishes a requirement for the use of department-owned boats on Blind Pony Lake Conservation Area, Hunnewell Lake Conservation Area, and Lake Paho Conservation Area; and prohibits the use of houseboats on Thomas Hill Reservoir.

(1) Boats[,] (including sailboats)[] may be used on lakes and ponds [designated as open to boats,] except as further restricted in this chapter. Boats may not be left unattended overnight. Houseboats, and personal watercraft as defined in section 306.010, RSMo, are prohibited. **Float tubes may be used for authorized fishing and hunting activities.** Registration and a fee are required for rental of department-owned boats. Fees must be paid prior to use.

(A) Except as provided below, only electric motors are permitted on lakes and ponds of less than seventy (70) acres. Electric motors and outboard motors are permitted on lakes of seventy (70) or more acres and on certain areas in conjunction with waterfowl hunting, except as otherwise provided in paragraph (1)(A)/3.J2. of this rule. Outboard motors in excess of ten (10) horsepower must be operated at slow, no-wake speed, except as otherwise provided in paragraph (1)(A)/4.J3. of this rule.

1. On August A. Busch Memorial Conservation Area, **Blind Pony Lake Conservation Area, Hunnewell Lake Conservation Area, Lake Paho Conservation Area** and James A. Reed Memorial Wildlife Area, only department-owned boats may be used and only electric motors are permitted.

[2. On *Blind Pony Lake Conservation Area and Hunnewell Lake Conservation Area, only department-owned boats may be used.*] [3.]

2. On Robert G. DeLaney Lake Conservation Area, only electric motors are permitted.

[4.] 3. On Thomas Hill Reservoir, **houseboats are prohibited at all times, and all boating is prohibited on the main arm of the lake above Highway T from October 15 through January 15.** No other restrictions in this section apply to this area.

[5.] 4. On Bellefontaine Conservation Area, boats are prohibited.

[6.] 5. Outboard motors of any size may be used on Overton Bottoms Conservation Area, but must be operated at slow, no-wake speed.

**AUTHORITY:** sections 40 and 45 of Art. IV, Mo. Const. This rule previously filed as 3 CSR 10-4.115. Original rule filed April 30, 2001, effective Sept. 30, 2001. For intervening history, please consult the **Code of State Regulations**. Amended: Filed Sept. 27, 2007.

**PUBLIC COST:** This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

**PRIVATE COST:** This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

**NOTICE TO SUBMIT COMMENTS:** Anyone may file a statement in support of or in opposition to this proposed amendment with John W. Smith, Assistant Director, Department of Conservation, PO Box 180, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.

**Title 3—DEPARTMENT OF CONSERVATION**  
**Division 10—Conservation Commission**  
**Chapter 11—Wildlife Code: Special Regulations for**  
**Department Areas**

**PROPOSED AMENDMENT**

**3 CSR 10-11.165 Bullfrogs and Green Frogs.** The commission proposes to amend subsection (1)(A).

**PURPOSE:** This amendment establishes provisions for harvesting bullfrogs and green frogs on the Northeast Regional Office area.

(1) Bullfrogs and green frogs may be taken during the statewide season only by hand, handnet, gig, [long]bow, snagging, snaring, grabbing or pole and line, only on waters and within dates and hours those waters are open to fishing, except as further restricted in this chapter. Firearms may not be used to take bullfrogs and green frogs.

(A) On Louis H. Bangert Memorial Wildlife Area, Bellefontaine Conservation Area, [and] August A. Busch Memorial Conservation Area **and Northeast Regional Office** [long]bows are prohibited for taking frogs.

**AUTHORITY:** sections 40 and 45 of Art. IV, Mo. Const. This rule previously filed as 3 CSR 10-4.115. Original rule filed April 30, 2001, effective Sept. 30, 2001. Amended: Filed May 9, 2002, effective March 1, 2003. Amended: Filed Sept. 27, 2007.

**PUBLIC COST:** This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

**PRIVATE COST:** This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

**NOTICE TO SUBMIT COMMENTS:** Anyone may file a statement in support of or in opposition to this proposed amendment with John W. Smith, Assistant Director, Department of Conservation, PO Box 180, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.

**Title 3—DEPARTMENT OF CONSERVATION**  
**Division 10—Conservation Commission**  
**Chapter 11—Wildlife Code: Special Regulations for**  
**Department Areas**

**PROPOSED AMENDMENT**

**3 CSR 10-11.180 Hunting, General Provisions and Seasons.** The commission proposes to add a new subsection (4)(AAAAA) and amend section (6) and subsection (8)(I).

**PURPOSE:** This amendment adds Twin Pines Conservation Education Center to the list of conservation areas where hunting is prohibited; includes smaller-than-.22 caliber rimfire firearms as an allowable hunting method on Howell Island and Upper Mississippi conservation areas; and, corrects the name of Four Rivers Conservation Area.

(4) Hunting is prohibited on the following department areas except for deer hunting as authorized in the annual *Fall Deer and Turkey Hunting Regulations and Information* booklet:

(AAAAA) Twin Pines Conservation Education Center  
[(AAAAAA)] (BBBBB) Tywappity Community Lake  
[(BBBBBB)] (CCCCC) Ulman Towersite  
[(CCCCC)] (DDDDD) Upper Mississippi Conservation Area (Clarksville Refuge)  
[(DDDDD)] (EEEEEE) Vandalia Community Lake  
[(EEEEEE)] (FFFFF) Wah-Kon-Tah Prairie (portion south of Highway 82)  
[(FFFFF)] (GGGGG) Wah-Sha-She Prairie  
[(GGGGG)] (HHHHH) Walnut Woods Conservation Area  
[(HHHHH)] (IIIII) Warrenton Office  
[(IIIII)] (JJJJJ) White Alloe Creek Conservation Area  
[(JJJJJ)] (KKKKK) Wildcat Glade Natural Area  
[(KKKKK)] (LLLLL) Walter Woods Conservation Area  
[(LLLLL)] (MMMMM) Mark Youngdahl Urban Conservation Area

(6) Firearms firing single projectiles are prohibited, except during managed deer hunts, and except furbearers treed with the aid of dogs may be taken with a twenty-two (.22) or smaller caliber rimfire firearm on the following department areas:

**(B) Howell Island Conservation Area**

*/(B)/(C) Platte Falls Conservation Area*

**(D) Upper Mississippi Conservation Area (Dresser Island portion)**

*/(C)/(E) Weldon Spring Conservation Area*

(8) Use or possession of lead shot is prohibited for hunting in designated zones on the following department areas:

**(I) Four Rivers Conservation Area (**August A. Busch, Jr. Memorial Wetlands at**)**

*AUTHORITY: sections 40 and 45 of Art. IV, Mo. Const. This rule previously filed as 3 CSR 10-4.115. Original rule filed April 30, 2001, effective Sept. 30, 2001. For intervening history, please consult the Code of State Regulations. Amended: Filed Sept. 27, 2007.*

*PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.*

*PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.*

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with John W. Smith, Assistant Director, Department of Conservation, PO Box 180, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.*

**Title 3—DEPARTMENT OF CONSERVATION  
Division 10—Conservation Commission  
Chapter 11—Wildlife Code: Special Regulations for  
Department Areas**

**PROPOSED RULE**

**3 CSR 10-11.181 Turkeys: Special Hunts**

*PURPOSE: This rule establishes a framework to offer a disabled hunter or other turkey hunts on certain conservation areas to run concurrent with the statewide spring youth turkey season or other dates as determined.*

*PUBLISHER'S NOTE: The secretary of state has determined that the publication of the entire text of the material which is incorporated by reference as a portion of this rule would be unduly cumbersome or expensive. This material as incorporated by reference in this rule shall be maintained by the agency at its headquarters and shall be made available to the public for inspection and copying at no more than the actual cost of reproduction. This note applies only to the reference material. The entire text of the rule is printed here.*

Turkeys may be hunted on department areas as authorized in the current *Spring Turkey Hunting Information* booklet, published annually in March, and the *Fall Deer and Turkey Hunting Regulations and Information* booklet, published annually in August. These publications are incorporated by reference. Copies of these booklets are published by and can be obtained from the Missouri Department of Conservation, PO Box 180, Jefferson City, MO 65102-0180. They are also available online at [www.missouriconservation.org](http://www.missouriconservation.org). This rule does not incorporate any subsequent amendments or additions.

*AUTHORITY: sections 40 and 45 of Art. IV, Mo. Const. Original rule filed Sept. 27, 2007.*

*PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.*

*PRIVATE COST: This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.*

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with John W. Smith, Assistant Director, Department of Conservation, PO Box 180, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.*

**Title 3—DEPARTMENT OF CONSERVATION  
Division 10—Conservation Commission  
Chapter 11—Wildlife Code: Special Regulations for  
Department Areas**

**PROPOSED AMENDMENT**

**3 CSR 10-11.186 Waterfowl Hunting.** The commission proposes to amend subsection (4)(G) and section (9).

*PURPOSE: This amendment incorporates the full name of the Four Rivers Conservation Area and increases goose hunting opportunities on Marais Temps Clair Conservation Area in St. Charles County.*

(4) Waterfowl may be taken on the department areas listed below only by holders of a valid area Daily Waterfowl Hunting Tag and only from a blind or in a designated area, except that hunters may retrieve dead birds and pursue and shoot downed cripples outside the designated area. Waterfowl hunters must check out immediately after the close of their hunting trip and prior to processing birds by accurate completion and return of the Daily Waterfowl Hunting Tag to designated locations. These department areas are closed to waterfowl hunting on December 25. Only authorized persons are allowed within the waterfowl shooting areas during the waterfowl hunting season. Portions of these department areas may be open to fishing during all or part of the waterfowl season.

(G) Four Rivers Conservation Area (**August A. Busch, Jr. Memorial Wetlands at**) (Designated waterfowl hunting areas of Units 1 and 2)

(9) On Marais Temps Clair Conservation Area: *[, waterfowl hunting is permitted only on Friday, Saturday, Sunday and Monday and only until 1:00 p.m. during the prescribed duck and Canada goose seasons, except the area is open daily from sunrise to sunset for teal hunting during the early season.]*

(A) Teal hunting is allowed from sunrise to sunset during the prescribed teal hunting season.

(B) Goose hunting is allowed from one-half (1/2) hour before sunrise to sunset during those portions of the prescribed goose hunting season that occurs outside of the prescribed duck hunting season, and from one-half (1/2) hour before sunrise to one-half (1/2) hour after sunset during the prescribed conservation order for light geese.

(C) Waterfowl hunting is allowed only until 1:00 p.m. and only on Friday, Saturday, Sunday, and Monday during the prescribed duck hunting season.

*AUTHORITY: sections 40 and 45 of Art. IV, Mo. Const. This rule previously filed as 3 CSR 10-4.115. Original rule filed April 30, 2001,*

effective Sept. 30, 2001. For intervening history, please consult the *Code of State Regulations*. Amended: Filed Sept. 27, 2007.

**PUBLIC COST:** This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

**PRIVATE COST:** This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

**NOTICE TO SUBMIT COMMENTS:** Anyone may file a statement in support of or in opposition to this proposed amendment with John W. Smith, Assistant Director, Department of Conservation, PO Box 180, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 3—DEPARTMENT OF CONSERVATION**  
**Division 10—Conservation Commission**  
**Chapter 11—Wildlife Code: Special Regulations for**  
**Department Areas**

**PROPOSED AMENDMENT**

**3 CSR 10-11.205 Fishing, Methods and Hours.** The commission proposes to amend paragraph (1)(B)14., add a new subsection (1)(C), delete subsection (8)(B), amend section (13) and add a new section (16).

**PURPOSE:** This amendment incorporates the full name of the Four Rivers Conservation Area; establishes provisions for fishing at Twin Pines Conservation Education Center and the pond located on Ozark Regional Headquarters; adds dip nets and throw nets as methods permitted for taking shad from lakes and ponds on conservation areas; and, establishes provisions for fishing methods on Blind Pony Lake Conservation Area, Hunnewell Lake Conservation Area, and Lake Paho Conservation Area.

(1) On lakes and ponds, fish may be taken only with pole and line and not more than three (3) poles may be used by one (1) person at any time, except as otherwise provided in this chapter.

(B) Carp, buffalo, suckers and gar may be taken by gig, longbow or crossbow during statewide seasons on the following department areas or individually named lakes:

1. Atlanta Conservation Area
2. Bismarck Conservation Area
3. Blackjack Access
4. Bob Brown Conservation Area
5. Columbia Bottom Conservation Area
6. Cooley Lake Conservation Area
7. Deer Ridge Conservation Area
8. Deroin Bend Conservation Area
9. Duck Creek Conservation Area
10. Eagle Bluffs Conservation Area
11. Femme Osage Slough (Weldon Spring Conservation Area)
12. Connor O. Fewel Conservation Area
13. Fountain Grove Conservation Area
14. Four Rivers Conservation Area (August A. Busch, Jr. Memorial Wetlands at)
15. Franklin Island Conservation Area
16. Grand Pass Conservation Area
17. Hunnewell Lake Conservation Area
18. King Lake Conservation Area
19. Kings Prairie Access
20. Lake Paho Conservation Area
21. Lamine River Conservation Area
22. B. K. Leach Memorial Conservation Area

23. Limpp Community Lake
24. Little Compton Lake Conservation Area
25. Locust Creek Conservation Area
26. Manito Lake Conservation Area
27. Marais Temps Clair Conservation Area
28. Nodaway County Community Lake
29. Nodaway Valley Conservation Area
30. Otter Lake (Otter Slough Conservation Area)
31. Peabody Conservation Area
32. Ralph and Martha Perry Memorial Conservation Area
33. Haysler A. Poague Conservation Area
34. Pony Express Lake Conservation Area
35. Rebel's Cove Conservation Area
36. Schell-Osage Conservation Area
37. Henry Sever Lake Conservation Area
38. Settle's Ford Conservation Area
39. Ted Shanks Conservation Area
40. H. F. Thurnau Conservation Area
41. Truman Reservoir Management Lands
42. Worth County Community Lake
43. Worthwine Island Conservation Area

(C) Gizzard shad may be taken from lakes and ponds by dip net or throw net.

(8) Seining or trapping live bait, including tadpoles, is prohibited on all lakes and ponds, except as otherwise provided in this chapter.

*(B) On designated waters on Schell-Osage Conservation Area, gizzard shad may be taken by live bait methods designated in 3 CSR 10-6.605.]*

(13) On the Burr Oak Woods Conservation Area aquatic education pond, Ozark Regional Office Pond, and Twin Pines Conservation Education Center, fishing is permitted only by reservation by educational groups, and fish must be returned to the water unharmed immediately after being caught except as provided by special use permit.

(16) On Blind Pony Lake Conservation Area, Hunnewell Lake Conservation Area and Lake Paho Conservation Area, bait transported or held in containers with water is prohibited.

**AUTHORITY:** sections 40 and 45 of Art. IV, Mo. Const. This rule previously filed as 3 CSR 10-4.115. Original rule filed April 30, 2001, effective Sept. 30, 2001. For intervening history, please consult the *Code of State Regulations*. Amended: Filed Sept. 27, 2007.

**PUBLIC COST:** This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

**PRIVATE COST:** This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

**NOTICE TO SUBMIT COMMENTS:** Anyone may file a statement in support of or in opposition to this proposed amendment with John W. Smith, Assistant Director, Department of Conservation, PO Box 180, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 3—DEPARTMENT OF CONSERVATION**  
**Division 10—Conservation Commission**  
**Chapter 11—Wildlife Code: Special Regulations for**  
**Department Areas**

**PROPOSED AMENDMENT**

**3 CSR 10-11.210 Fishing, Daily and Possession Limits.** The commission proposes to amend subsection (2)(I) and section (5) and delete sections (3) and (8).

*PURPOSE: This amendment reduces the daily limit to two (2) on black bass at Happy Holler Conservation Area, increases the daily limit to six (6) on black bass on Blind Pony Lake Conservation Area, reduces the crappie daily limit to fifteen (15) at Otter Slough Conservation Area, and increases the daily limit to twenty (20) on bluegill and other sunfish at Bushwacker Lake.*

(2) The daily limit for black bass shall be two (2) on the following department areas or individually named lakes:

(I) */Happy Holler Lake [/Happy Holler Lake Conservation Area//]*

*[(3) On Blind Pony Lake Conservation Area, the daily limit for black bass shall be one (1).]*

*[(4)] (3) On Fox Valley Lake (Fox Valley Lake Conservation Area), the daily and possession limit for black bass is twelve (12) in the aggregate.*

*[(5)] (4) On Bellefontaine Conservation Area, **Otter Slough Conservation Area**, Robert G. DeLaney Lake Conservation Area and Schell-Osage Conservation Area, the daily limit for crappie shall be fifteen (15).*

*[(6)] (5) The daily limit for white bass, striped bass and their hybrids in the aggregate shall be four (4) on the following department areas or individually named lakes:*

- (A) August A. Busch Memorial Conservation Area
- (B) Harmony Mission Lake (Harmony Mission Conservation Area)
- (C) Perry County Community Lake
- (D) James A. Reed Memorial Wildlife Area

*[(7)] (6) At Tobacco Hills Lake (Guy B. Park Conservation Area), August A. Busch Memorial Conservation Area and General Watkins Conservation Area, the daily limit for bluegill and other sunfish shall be ten (10) in the aggregate.*

*[(8) On Bushwhacker Lake (Bushwhacker Conservation Area), the daily limit for bluegill and other sunfish shall be fifteen (15) in the aggregate.]*

*[(9)] (7) On Duck Creek Conservation Area, statewide limits shall apply for other fish as designated in 3 CSR 10-6.550.*

*[(10)] (8) On August A. Busch Memorial Conservation Area:*

(A) On Lakes 21 and 28, trout must be returned to the water unharmed immediately after being caught from November 1 through January 31. Trout may not be possessed on these waters during this season. No person shall continue to fish for any species after having four (4) trout in possession from February 1 through October 31.

(B) On Lakes 22, 23 and 24, no person shall continue to fish for any species after having four (4) trout in possession.

*[(11)] (9) On Bellefontaine Conservation Area, Port Hudson Lake Conservation Area and James A. Reed Memorial Wildlife Area, the daily limit for fish other than those designated as endangered in 3 CSR 10-4.111 or defined as game fish shall be ten (10) in the aggregate.*

*[(12)] (10) On Jerry J. Presley Conservation Education Center, except as otherwise provided on the special use permit, fish must be returned to the water unharmed immediately after being caught.*

*[(13)] (11) On Lake 12 (August A. Busch Memorial Conservation Area) and Lost Valley Fish Hatchery, the daily limit for all fish shall be two (2) in the aggregate. On Lost Valley Fish Hatchery, no person shall continue to fish for any species after having two (2) fish in possession.*

*AUTHORITY: sections 40 and 45 of Art. IV, Mo. Const. This rule previously filed as 3 CSR 10-4.115. Original rule filed April 30, 2001, effective Sept. 30, 2001. For intervening history, please consult the Code of State Regulations. Amended: Filed Sept. 27, 2007.*

*PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.*

*PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.*

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with John W. Smith, Assistant Director, Department of Conservation, PO Box 180, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.*

**Title 3—DEPARTMENT OF CONSERVATION  
Division 10—Conservation Commission  
Chapter 11—Wildlife Code: Special Regulations for  
Department Areas**

**PROPOSED AMENDMENT**

**3 CSR 10-11.215 Fishing, Length Limits.** The commission proposes to add a new paragraph (2)(B)13., amend paragraph (2)(C)6., delete subsection (2)(D), amend subsection (2)(E), delete sections (4) and (7) and amend old section (8).

*PURPOSE: This amendment changes the length limit on largemouth bass at Hazel Hill Lake to a fifteen inch (15") minimum length limit and at Blind Pony Lake Conservation Area to a twelve to fifteen inch (12-15") slot length limit; removes the fifteen inch (15") minimum length limit on catfish from Blind Pony Lake, Hazel Hill Lake and Manito Lake; removes the slot length limit on bluegill and other sunfish at Bushwacker Lake and establishes a nine inch (9") minimum length limit on crappie at Otter Slough Conservation Area.*

(2) On lakes and ponds, except as listed below, black bass more than twelve inches (12") but less than fifteen inches (15") total length must be returned to the water unharmed immediately after being caught.

(B) Black bass less than fifteen inches (15") total length must be returned to the water unharmed immediately after being caught on the following department areas or individually named lakes:

1. Amarugia Highlands Conservation Area
2. Apple Creek Conservation Area
3. Atkinson Lake (Schell-Osage Conservation Area)
4. Baltimore Bend Conservation Area
5. Bilby Ranch Lake Conservation Area
6. Binder Community Lake
7. Buffalo Bill Lake (Pony Express Lake Conservation Area)
8. August A. Busch Memorial Conservation Area (except Lakes 33 and 35)
9. Castor River Conservation Area
10. Che-Ru Lake (Fountain Grove Conservation Area)
11. Deer Ridge Lake (Deer Ridge Conservation Area)
12. General Watkins Conservation Area
13. **Hazel Hill Lake**

- [13.] 14. Jamesport Community Lake  
[14.] 15. J. N. "Turkey" Kearn Memorial Wildlife Area  
[15.] 16. Limpp Community Lake  
[16.] 17. Lone Jack Lake Conservation Area  
[17.] 18. Maple Leaf Lake Conservation Area  
[18.] 19. Nodaway County Community Lake  
[19.] 20. Otter Slough Conservation Area  
[20.] 21. Perry County Community Lake  
[21.] 22. Pony Express Lake (Pony Express Lake Conservation Area)

- [22.] 23. Ray County Community Lake  
[23.] 24. James A. Reed Memorial Wildlife Area  
[24.] 25. Rinquelin Trail Community Lake  
[25.] 26. Schell Lake (Schell-Osage Conservation Area)  
[26.] 27. Ted Shanks Conservation Area  
[27.] 28. Tobacco Hills Lake (Guy B. Park Conservation Area)  
[28.] 29. Vandalia Community Lake  
[29.] 30. Weldon Spring Conservation Area  
[30.] 31. Worth County Community Lake

(C) Black bass less than eighteen inches (18") total length must be returned to the water unharmed immediately after being caught on the following department areas or individually named lakes:

1. Bellefontaine Conservation Area
2. Lakes 33 and 35 (August A. Busch Memorial Conservation Area)
3. Belcher Branch Lake Conservation Area
4. Jerry P. Combs Lake (Little River Conservation Area)
5. Robert G. Delaney Lake Conservation Area
6. *[Happy Holler Lake]* (*[Happy Holler Lake Conservation Area]*)

7. Lake Paho Conservation Area

8. Port Hudson Lake Conservation Area

*[(D) On Blind Pony Lake Conservation Area, black bass less than twenty inches (20") total length must be returned to the water unharmed immediately after being caught.]*

*[(E)] (D) On *[Hazel Hill Lake and] LaBelle Lake* Conservation Area, black bass more than fourteen inches (14") but less than eighteen inches (18") total length must be returned to the water unharmed immediately after being caught.*

*[(F)] (E) On Fox Valley Lake (Fox Valley Lake Conservation Area), there is no length limit on black bass.*

*[(4) On Blind Pony Lake Conservation Area, Hazel Hill Lake and Manito Lake Conservation Area, channel catfish and blue catfish less than fifteen inches (15") total length must be returned to the water unharmed immediately after being caught.]*

*[(5)](4) On August A. Busch Memorial Conservation Area, Che-Ru Lake (Fountain Grove Conservation Area), James A. Reed Memorial Wildlife Area and Schell-Osage Conservation Area, flathead catfish less than twenty-four inches (24") total length must be returned to the water unharmed immediately after being caught.*

*[(6)](5) On Tobacco Hills Lake (Guy B. Park Conservation Area) and General Watkins Conservation Area, bluegill less than eight inches (8") total length must be returned to the water unharmed immediately after being caught.*

*[(7) On Bushwhacker Lake (Bushwhacker Lake Conservation Area) the daily limit of bluegill and other sunfish may include no more than five (5) fish more than eight inches (8") in total length.]*

*[(8)](6) On Robert G. DeLaney Lake Conservation Area and Otter Slough Conservation Area, all crappie less than nine inches (9") total length must be returned to the water unharmed immediately after being caught.*

**AUTHORITY:** sections 40 and 45 of Art. IV, Mo. Const. This rule previously filed as 3 CSR 10-4.115. Original rule filed April 30, 2001, effective Sept. 30, 2001. For intervening history, please consult the **Code of State Regulations**. Amended: Filed Sept. 27, 2007.

**PUBLIC COST:** This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

**PRIVATE COST:** This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

**NOTICE TO SUBMIT COMMENTS:** Anyone may file a statement in support of or in opposition to this proposed amendment with John W. Smith, Assistant Director, Department of Conservation, PO Box 180, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

### Title 3—DEPARTMENT OF CONSERVATION

#### Division 10—Conservation Commission

#### Chapter 12—Wildlife Code: Special Regulations for Areas Owned by Other Entities

#### PROPOSED AMENDMENT

**3 CSR 10-12.109 Closed Hours.** The commission proposes to amend subsection (1)(P).

**PURPOSE:** This amendment adds Akerson Access in Palmyra to the rule that establishes closed hours for uses other than fishing and other conservation related recreation at several areas managed in cooperation with other public entities.

(1) **Closed Hours.** The following areas are closed to public use from 10:00 p.m. to 4:00 a.m. daily; however, hunting, fishing, trapping, dog training, camping, launching boats and landing boats are permitted at any time on areas where these activities are authorized, except as further restricted in this chapter.

##### **(P) Palmyra (Akerson Access)**

*[(P)] (Q) Pemiscot County (Triangle Boat Club Access)*

*[(Q)] (R) Rockaway Beach Access*

*[(R)] (S) Sedalia Water Department (Spring Fork Lake)*

*[(S)] (T) Springfield City Utilities (Fellows Lake, Lake Springfield, Tailwaters Access)*

*[(T)] (U) Watershed Committee of the Ozarks (Valley Water Mill Lake)*

**AUTHORITY:** sections 40 and 45 of Art. IV, Mo. Const. Original rule filed June 1, 2001, effective Oct. 30, 2001. For intervening history, please consult the **Code of State Regulations**. Amended: Filed Sept. 27, 2007.

**PUBLIC COST:** This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

**PRIVATE COST:** This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

**NOTICE TO SUBMIT COMMENTS:** Anyone may file a statement in support of or in opposition to this proposed amendment with John W. Smith, Assistant Director, Department of Conservation, PO Box 180, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 3—DEPARTMENT OF CONSERVATION**  
**Division 10—Conservation Commission**  
**Chapter 12—Wildlife Code: Special Regulations for**  
**Areas Owned by Other Entities**

**PROPOSED AMENDMENT**

**3 CSR 10-12.110 Use of Boats and Motors.** The commission proposes to amend section (1), add new subsections (2)(V), (Y), (Z) and (6)(C).

*PURPOSE:* This amendment clarifies regulations allowing the use of boats on areas under management agreement with the department; adds St. Charles County (Quail Ridge Park Lake and Henry's Pond), Taos (Countryside Park Lake) and Tipton (Tipton Park Lake) to the list of lakes where boats are prohibited; and allows the operation of outboard motors greater than ten (10) horsepower at a slow, no-wake speed at Fayette (D.C. Rogers Lake, Peters Lake).

(1) *[Only boats with electric motors may be used]* Boats may be used on areas managed by the department under cooperative agreement unless otherwise provided in this rule. Only electric motors may be used unless otherwise provided in this rule.

(2) Boats are prohibited on the following areas:

(V) St. Charles County (Henry's Pond, Quail Ridge Park Lake)

*[(V)] (W)* St. Louis County (Bee Tree Lake)

*[(W)] (X)* Sedalia (Clover Dell Park Lake, Liberty Park Pond)

*[(Y)] (Taos Countryside Park Lake)*

*[(Z)] (Tipton (Tipton Park Lake))*

*[(X)] (AA)* University of Missouri (South Farm R-1 Lake)

*[(Y)] (BB)* Watershed Committee of the Ozarks (Valley Water Mill Lake)

(6) Outboard motors in excess of ten (10) horsepower may be used but must be operated at slow, no-wake speed on the following areas:

*(C) Fayette (D.C. Rogers Lake, Peters Lake)*

*[(C)] (D)* Fredericktown City Lake

*[(D)] (E)* Green City Lake

*[(E)] (F)* Little River Drainage District (Headwaters Diversion Channel)

*[(F)] (G)* Higginsville City Lake

*[(G)] (H)* Holden City Lake

*[(H)] (I)* Iron Mountain City Lake

*[(I)] (J)* Macon City Lake

*[(J)] (K)* Marceline (Marceline City Lake, Old Marceline City Reservoir)

*[(K)] (L)* Mark Twain National Forest (Council Bluff Lake, Palmer Lake)

*[(L)] (M)* Maysville (Willow Brook Lake)

*[(M)] (N)* Memphis (Lake Showme)

*[(N)] (O)* Milan (Elmwood Lake)

*[(O)] (P)* Monroe City (Route J Reservoir)

*[(P)] (Q)* Watkins Woolen Mill State Park and Historic Site (Williams Creek Lake)

*AUTHORITY:* sections 40 and 45 of Art. IV, Mo. Const. This rule previously filed as 3 CSR 10-4.116. Original rule filed April 30, 2001, effective Sept. 30, 2001. For intervening history, please consult the Code of State Regulations. Amended: Filed Sept. 27, 2007.

*PUBLIC COST:* This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

*PRIVATE COST:* This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

*NOTICE TO SUBMIT COMMENTS:* Anyone may file a statement in support of or in opposition to this proposed amendment with John W. Smith, Assistant Director, Department of Conservation, PO Box 180, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 3—DEPARTMENT OF CONSERVATION**  
**Division 10—Conservation Commission**  
**Chapter 12—Wildlife Code: Special Regulations for**  
**Areas Owned by Other Entities**

**PROPOSED AMENDMENT**

**3 CSR 10-12.125 Hunting and Trapping.** The commission proposes to amend add a new paragraph (1)(B)28.

*PURPOSE:* This amendment adds two St. Charles County Park lakes, Quail Ridge Park Lake and Henry's Pond, to a list of areas where hunting is prohibited.

(1) Hunting, under statewide permits, seasons, methods and limits, is permitted except as further restricted in this chapter and except for deer hunting as authorized in the *[annual] current Fall Deer & Turkey Hunting Regulations and Information* booklet published annually in August. This publication is incorporated by reference. A copy of this booklet *[is published by and]* can be obtained from the Missouri Department of Conservation, PO Box 180, Jefferson City, MO 65102-0180. It is also available online at www.missouriconservation.org. This rule does not incorporate any subsequent amendments or additions.

(B) Hunting is prohibited on the following areas:

1. Thomas S. Baskett Wildlife Research and Education Center

2. Bethany (Old Bethany City Reservoir)

3. Bridgeton (Kiwanis Lake)

4. Buchanan County (Gasper Landing)

5. California (Proctor Park Lake)

6. Carthage (Kellogg Lake)

7. Columbia (Antimi Lake, Cosmo-Bethel Lake, Lake of the Woods, Twin Lake)

8. Dexter City Lake

9. Farmington (Giessing Lake, Hager Lake and Thomas Lake)

10. Hamilton City Lake

11. Harrisonville (North Lake)

12. Jackson (Rotary Lake)

13. Jackson County (Alex George Lake, Bergan Lake, Bowlin Road Lake, Fleming Pond, Lake Jacomo, Prairie Lee Lake, Scherer Lake, Tarsney Lake, Wood Lake, Wyatt Lake)

14. James Foundation (Scioto Lake)

15. Jamesport City Lake

16. Kirksville (Spur Pond)

17. Lawson City Lake

18. Macon County (Fairground Lake)

19. Mexico (Lakeview Lake, Kiwanis Lake)

20. Mineral Area College (Quarry Pond)

21. Moberly (Rothwell Park Lake, Water Works Lake)

22. Mount Vernon (Williams Creek Park Lake)

23. Odessa (Lake Venita)

24. Overland (Wild Acres Park Lake)

25. Potosi (Roger Bilderbäck Lake)

26. Rolla (Schuman Park Lake)

27. St. Charles (Fountain Lakes Pond, Kluesner Lake, Moore Lake, Skate Park Lake)

**28. St. Charles County (Henry's Pond, Quail Ridge Park Lake)**

*/28.] 29.* St. Louis County (Bee Tree Lake, Creve Coeur Lake, Simpson Lake, Spanish Lake, Sunfish Lake)

*/29.] 30.* Savannah City Lake

- /30.] 31. Sedalia (Clover Dell Park Lake)
- /31.] 32. Sedalia Water Department (Spring Fork Lake)
- /32.] 33. Springfield City Utilities (Lake Springfield)
- /33.] 34. Warrensburg (Lion's Lake)
- /34.] 35. Watershed Committee of the Ozarks (Valley Water Mill Lake)
- /35.] 36. Windsor (Farrington Park Lake)

**AUTHORITY:** sections 40 and 45 of Art. IV, Mo. Const. This rule previously filed as 3 CSR 10-4.116. Original rule filed April 30, 2001, effective Sept. 30, 2001. For intervening history, please consult the *Code of State Regulations*. Amended: Filed Sept. 27, 2007.

**PUBLIC COST:** This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

**PRIVATE COST:** This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

**NOTICE TO SUBMIT COMMENTS:** Anyone may file a statement in support of or in opposition to this proposed amendment with John W. Smith, Assistant Director, Department of Conservation, PO Box 180, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 3—DEPARTMENT OF CONSERVATION**  
**Division 10—Conservation Commission**  
**Chapter 12—Wildlife Code: Special Regulations for**  
**Areas Owned by Other Entities**

**PROPOSED AMENDMENT**

**3 CSR 10-12.130 Fishing, General Provisions and Seasons.** The commission proposes to amend section (3).

**PURPOSE:** This amendment removes Quail Ridge Park Lake from a list of lakes closed to fishing.

(3) Fishing is prohibited on Chillicothe R-2 School District (Litton Center Pond), Jackson County (Fleming Pond) **and** Mark Twain National Forest (Carmen Spring Management Area) [**and** St. Charles County (Quail Ridge Park Lake)].

**AUTHORITY:** sections 40 and 45 of Art. IV, Mo. Const. This rule previously filed as 3 CSR 10-4.116. Original rule filed April 30, 2001, effective Sept. 30, 2001. For intervening history, please consult the *Code of State Regulations*. Amended: Filed Sept. 27, 2007.

**PUBLIC COST:** This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

**PRIVATE COST:** This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

**NOTICE TO SUBMIT COMMENTS:** Anyone may file a statement in support of or in opposition to this proposed amendment with John W. Smith, Assistant Director, Department of Conservation, PO Box 180, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 3—DEPARTMENT OF CONSERVATION**  
**Division 10—Conservation Commission**  
**Chapter 12—Wildlife Code: Special Regulations for**  
**Areas Owned by Other Entities**

**PROPOSED AMENDMENT**

**3 CSR 10-12.150 Fishing, Trout Parks.** The commission proposes to amend subsection (1)(B).

**PURPOSE:** This amendment allows anglers to use either a valid daily tag or an annual trout permit to fish a portion of Zone 3 in Roaring River State Park from March 1–October 31.

(1) On Maramec Spring Park, Bennett Spring State Park, Montauk State Park and Roaring River State Park:

(B) Trout fishing is permitted from March 1 through October 31. The daily limit is four (4) trout, and no person shall continue to fish for any species after having four (4) trout in possession. Fishing in the designated trout waters is permitted only by holders of a signed valid area daily trout fishing tag, except that fishing is permitted by holders of either a valid signed daily tag or a valid trout permit from the first bridge below the old dam in Zone 3 at Roaring River State Park to the downstream park boundary.

**AUTHORITY:** sections 40 and 45 of Art. IV, Mo. Const. This rule previously filed as 3 CSR 10-4.116. Original rule filed April 30, 2001, effective Sept. 30, 2001. Amended: Filed Sept. 29, 2004, effective Feb. 28, 2005. Amended: Filed April 20, 2005, effective Sept. 30, 2005. Amended: Filed Aug. 23, 2006, effective Nov. 1, 2006. Amended: Filed Sept. 27, 2007.

**PUBLIC COST:** This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

**PRIVATE COST:** This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

**NOTICE TO SUBMIT COMMENTS:** Anyone may file a statement in support of or in opposition to this proposed amendment with John W. Smith, Assistant Director, Department of Conservation, PO Box 180, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 3—DEPARTMENT OF CONSERVATION**  
**Division 10—Conservation Commission**  
**Chapter 20—Wildlife Code: Definitions**

**PROPOSED AMENDMENT**

**3 CSR 10-20.805 Definitions.** The commission proposes to amend subsections (27)(A) and (D).

**PURPOSE:** This amendment corrects the naming convention for *Ambloplites* and *Lepomis gulosus*.

(27) Game fish: Shall include the following in which the common names are to be interpreted as descriptive of, but not limiting, the classification by Latin names:

(A) *Ambloplites*, all species of [rock bass, commonly known as goggle-eye, redeye, shadow bass, Ozark bass] goggle-eye (commonly known as Ozark bass, rock bass, shadow bass) and their hybrids.

(D) *Lepomis gulosus*, commonly known as warmouth [bass].

**AUTHORITY:** sections 40 and 45 of Art. IV, Mo. Const. This rule previously filed as 3 CSR 10-11.805. Original rule filed April 30, 2001, effective Sept. 30, 2001. For intervening history, please consult the *Code of State Regulations*. Amended: Filed Sept. 27, 2007.

**PUBLIC COST:** This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

**PRIVATE COST:** This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

**NOTICE TO SUBMIT COMMENTS:** Anyone may file a statement in support of or in opposition to this proposed amendment with John W. Smith, Assistant Director, Department of Conservation, PO Box 180, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

## **Title 10—DEPARTMENT OF NATURAL RESOURCES**

### **Division 70—Soil and Water Districts Commission**

#### **Chapter 1—Organization**

#### **PROPOSED AMENDMENT**

**10 CSR 70-1.010 Organization.** The Missouri Soil and Water Districts Commission is amending section (1).

**PURPOSE:** This amendment complies with the requirements of section 278.080, RSMo 2000 which requires that the Missouri Soil and Water Districts Commission shall be comprised of four (4) ex officio members and six (6) farmer members.

(1) The Soil and Water Districts Commission is a state agency created by section 278.080, RSMo 2000 for the administration of the soil and water conservation districts provided for in sections 278.060–278.300, RSMo [1986]. The commission is comprised of [five (5)] six (6) persons and four (4) non-voting ex officio members and operates with an assigned staff as an agency within the Department of Natural Resources. Its primary responsibility is the determination of policies and procedures to be used by soil and water conservation districts. In addition, the Soil and Water Districts Commission has the authority and responsibility to—

**AUTHORITY:** sections 278.070.4, RSMo 2000 and 278.080.1 and 278.080.5(8) RSMo [2001] Supp. 2006. Original rule filed Dec. 31, 1975, effective Jan. 10, 1976. Amended: Filed Jan. 2, 2002, effective Aug. 30, 2002. Amended: Filed Sept. 26, 2007.

**PUBLIC COST:** This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

**PRIVATE COST:** This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

**NOTICE TO SUBMIT COMMENTS:** Anyone may submit a written statement in support of or in opposition to the proposed amendment with the Department of Natural Resources, Bill Foster, Director of Staff, PO Box 176, Jefferson City, MO 65102, (573) 751-4932. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

## **Title 10—DEPARTMENT OF NATURAL RESOURCES**

### **Division 70—Soil and Water Districts Commission**

#### **Chapter 5—State Funded Cost-Share Program**

#### **PROPOSED AMENDMENT**

**10 CSR 70-5.010 Apportionment of Funds.** The Missouri Soil and Water Districts Commission is amending section (2) and subsection (2)(A).

**PURPOSE:** This rulemaking will provide the commission with the ability to apportion each soil and water conservation district with cost-share funds that more closely represent the needs of each district. In addition, the rulemaking will correct an error in the rule and replace the word, “unobligated” with “unclaimed.”

(2) Annual Apportionment of Funds. [One-half (1/2) of all] All funds apportioned to the cost-share program for any fiscal year shall be [divided by a number equal to the number of soil and water conservation districts which have agreed to assist the commission in administering the program and which have entered into a Memorandum of Understanding in accordance with section (1). The remaining one-half (1/2) of the funds appropriated for any fiscal year and less any funds withheld by the commission for the cost-sharing of special projects as cited in subsection (2)(E), shall be] apportioned by the commission to the participating districts by considering the [relative needs for eligible practices within the districts] character of the districts’ needs according to criteria developed by the commission.

(A) Fiscal Year Limitations. Funds allocated to districts but [unobligated] unclaimed at the end of each fiscal year shall be returned to the commission.

**AUTHORITY:** sections 278.070 and 278.110, RSMo 2000 and 278.080, RSMo [1986] Supp. 2006. Original rule filed Aug. 12, 1980, effective Jan. 1, 1981. Amended: Filed Sept. 26, 2007.

**PUBLIC COST:** This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

**PRIVATE COST:** This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

**NOTICE TO SUBMIT COMMENTS:** Anyone may submit a written statement in support of or in opposition to the proposed amendment with the Department of Natural Resources, Bill Foster, Director of Staff, PO Box 176, Jefferson City, MO 65102, (573) 751-4932. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

## **Title 13—DEPARTMENT OF SOCIAL SERVICES**

### **Division 35—Children’s Division**

#### **Chapter 31—Child Abuse**

#### **PROPOSED RULE**

#### **13 CSR 35-31.025 Child Abuse and Neglect Review Process**

**PURPOSE:** This rule establishes a child abuse and neglect review process to provide for a review of child abuse and neglect determinations when an alleged perpetrator disagrees with the division’s finding of preponderance of the evidence.

(1) Upon written request, the Children’s Division will provide an opportunity for an administrative review to any alleged perpetrator

who disagrees with the local division's finding of preponderance of the evidence in a child abuse or neglect investigation.

(2) The alleged perpetrator will receive written notification of the preponderance of the evidence finding by the local division office and of his or her right to an administrative review of the finding.

(A) The alleged perpetrator will have sixty (60) days from the receipt of the notification of the child abuse/neglect finding to request an administrative review in writing to the circuit manager.

(B) The circuit manager, or his or her designee, will review, within ten (10) working days of receipt of the request, the investigative report and all appropriate material presented by the alleged perpetrator and determine whether to uphold or reverse the finding.

(C) The circuit manager, or his or her designee, will notify the alleged perpetrator in writing of the decision to uphold or reverse the original finding. If the finding is upheld, the circuit manager, or his or her designee, will forward the request to the Child Abuse and Neglect Review Board (CANRB) for further administrative review.

(3) The division may establish more than one (1) Child Abuse and Neglect Review Board to assure timely review of child abuse and neglect determinations.

(4) Each Child Abuse and Neglect Review Board will be composed of nine (9) members from specified professions outlined in section 210.153, RSMo 2000. Members are appointed by the governor with the advice and consent of the senate.

(5) Initially, three (3) board members will be appointed to serve for a term of three (3) years, three (3) board members will be appointed to serve for a term of two (2) years, and three (3) board members will be appointed to serve for a period of one (1) year.

(A) Members may continue serving after their term expires and until either their reappointment or until their replacement is appointed and approved.

(B) The members of the board shall designate a chairperson.

(6) The governor may remove and/or replace a member of the board for the following reasons:

(A) Death;

(B) Resignation;

(C) Mental or physical incapacitation which limits the member from effectively serving on the board; or

(D) For good cause as determined by the governor.

(7) The members of the board will hold all information obtained in the course of a review in the strictest confidence and will not discuss or disclose any information regarding any case, except as permitted under section 210.150, RSMo 2000.

(8) The members of the board will meet at a location within Missouri regularly, depending on the number of requests for review being filed, but a minimum of one (1) board will meet a minimum of one (1) time per month.

(9) The Child Abuse and Neglect Review Board will adhere to the following procedures for notification and scheduling of child abuse and neglect reviews:

(A) Within five (5) working days of receiving the request for review, the Children's Division CANRB liaison will notify the alleged perpetrator and the circuit manager of the date, time, and location of the review.

1. The Children's Division CANRB liaison or the board may grant a continuance to the alleged perpetrator for good cause. However, the number of continuances will be restricted to assure timely reviews.

2. If court adjudication occurs prior to the CANRB proceeding or prior to the CANRB's issuance of the board's determination, the

Children's Division CANRB liaison or the board will notify the alleged perpetrator that the board is foreclosed from ruling on the division's finding by statute.

3. If requested, and not otherwise prohibited by statute, the circuit manager will provide a copy of the child abuse and neglect investigation to the alleged perpetrator, including all records provided to the board, with the exception of confidential information or other information that could jeopardize child safety.

4. The alleged perpetrator may submit written information for the board to review before the proceeding if it is received by the board not less than twenty-one (21) calendar days prior to the hearing date; and

(B) The Children's Division CANRB liaison or the board shall notify the child or the child's parent, guardian, or legal representative that a review has been scheduled and of their opportunity to attend and/or to provide information on behalf of the child. The child's parent, guardian, or legal representative may submit written information for the board to review before the proceeding if it is received by the board not less than twenty-one (21) calendar days prior to the hearing date.

(10) At the review, the division, the child's representative, and then the alleged perpetrator (in that order) will each have twenty (20) minutes to present information to the board.

(A) The board may approve extra time for any presentation at the board's discretion.

(B) The alleged perpetrator's attendance is not mandatory for a review to be held.

(C) The board may approve participation by conference call for any participant.

(D) The alleged perpetrator may be represented by legal counsel.

(E) The division will be represented by appropriate staff, legal counsel, and/or the written record.

(F) The alleged perpetrator and the division may have witnesses provide testimony.

(G) Witnesses shall only be allowed to attend that portion of the review in which they are presenting information.

(H) The board will review and discuss all relevant materials and testimony, and all board members present at the hearing shall have the right to vote on whether to uphold or reverse the division's finding.

1. The board must have a quorum of not less than five (5) members to hold a hearing. If a quorum is not present, the hearing will be cancelled and rescheduled.

2. The board's decision must be based on a majority vote. In cases where there is no majority vote, the division's finding shall remain unchanged and considered affirmed.

3. The board's decision must be based on competent and substantial evidence on the whole record to support the preponderance of the evidence finding of abuse or neglect.

4. The board's decision must occur on the day of the review.

(11) The decision of the board will be the agency's final decision upholding or reversing the preponderance of the evidence finding of abuse or neglect.

(12) Within five (5) working days of the board's decision, the board shall notify the alleged perpetrator, the Children's Division, and the child's representative of the board's decision in writing. The decision shall be mailed to the last known address of such persons and their attorneys or legal representatives of record.

(13) The board shall expunge its administrative files at three (3) years with the exception of a log documenting the board's final decision.

(14) Annually, the department will evaluate the following factors related to the work of the Child Abuse and Neglect Review Board(s):

(A) Number of requests;

- (B) Geographic area of requests;
- (C) Results of reviews;
- (D) Composition of the board(s); and
- (E) Necessary amendments of the rules.

*AUTHORITY:* section 210.153, RSMo Supp. 2006. *Original rule filed Sept. 27, 2007.*

*PUBLIC COST:* This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

*PRIVATE COST:* This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.

*NOTICE TO SUBMIT COMMENTS:* Anyone may file a statement in support of or in opposition to this proposed rule with the Children's Division, 615 Howerton Court, Jefferson City, MO 65109. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.

**Title 13—DEPARTMENT OF SOCIAL SERVICES  
Division 40—Division of Family Services  
Chapter 31—Child Abuse**

**PROPOSED RESCISSION**

**13 CSR 40-31.025 Child Abuse and Neglect Review Process.** This rule established a Child Abuse and Neglect Review Process.

*PURPOSE:* This rule is being rescinded and a new rule which establishes a Child Abuse and Neglect Review Process is being promulgated in Division 35 Children's Division as the Children's Division is responsible for child abuse investigations and process.

*AUTHORITY:* section 207.020, RSMo 1994. *Original rule filed June 30, 1988, effective Sept. 29, 1988. Amended: Filed Sept. 26, 1989, effective Dec. 28, 1989. Amended: Filed June 14, 1996, effective Dec. 30, 1996. Rescinded: Filed Sept. 27, 2007.*

*PUBLIC COST:* This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

*PRIVATE COST:* This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.

*NOTICE TO SUBMIT COMMENTS:* Anyone may file a statement in support of or in opposition to this proposed rescission with the Children's Division, 615 Howerton Court, Jefferson City, MO 65109. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.

This section will contain the final text of the rules proposed by agencies. The order of rulemaking is required to contain a citation to the legal authority upon which the order of rulemaking is based; reference to the date and page or pages where the notice of proposed rulemaking was published in the *Missouri Register*; an explanation of any change between the text of the rule as contained in the notice of proposed rulemaking and the text of the rule as finally adopted, together with the reason for any such change; and the full text of any section or subsection of the rule as adopted which has been changed from that contained in the notice of proposed rulemaking. The effective date of the rule shall be not less than thirty (30) days after the date of publication of the revision to the *Code of State Regulations*.

The agency is also required to make a brief summary of the general nature and extent of comments submitted in support of or opposition to the proposed rule and a concise summary of the testimony presented at the hearing, if any, held in connection with the rulemaking, together with a concise summary of the agency's findings with respect to the merits of any such testimony or comments which are opposed in whole or in part to the proposed rule. The ninety (90)-day period during which an agency shall file its order of rulemaking for publication in the *Missouri Register* begins either: 1) after the hearing on the proposed rulemaking is held; or 2) at the end of the time for submission of comments to the agency. During this period, the agency shall file with the secretary of state the order of rulemaking, either putting the proposed rule into effect, with or without further changes, or withdrawing the proposed rule.

**Title 2—DEPARTMENT OF AGRICULTURE**  
**Division 30—Animal Health**  
**Chapter 2—Health, Requirements for Movement of Livestock, Poultry and Exotic Animals**

## ORDER OF RULEMAKING

By the authority vested in the director of the Department of Agriculture under section 265.020, RSMo 2000, the director amends a rule as follows:

**2 CSR 30-2.040 Animal Health Requirements for Exhibition is withdrawn.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on June 15, 2007 (32 MoReg 971–976). This proposed amendment is withdrawn.

The state veterinarian received comments from two (2) sources, Dr. Tony Martin and Rose Foster, Program Coordinator for the Missouri Poultry Inspection Program.

COMMENT: Dr. Martin felt that without the descriptive clarification of "active lesions of ringworm" and "warts" there would be a wider variation in interpretation of what is "active ringworm" and what is a "wart" and these descriptors better defined lesions significant enough to deny permission to show affected animals as well as the removal of the scabies statement. Dr. Martin also questioned the change of pre-entry testing requirement for brucellosis test-eligible animal from sixty (60) to thirty (30) day and swine pre-entry brucellosis testing is sixty (60) days and not thirty (30) days like cattle. Along with these concerns, Dr. Martin commented that removing the section "Miscellaneous and Exotic Animals" especially exotic bovids

added a risk to the production cattle species. Also, the omission of requirements for "Captive Cervids" could add to the risk and concern for brucellosis, tuberculosis (TB), chronic wasting disease (CWD), and Johnes in these species.

COMMENT: Ms. Foster noted changes to the poultry regulations to clarify that Missouri waterfowl are exempt from pullorum testing for shows.

RESPONSE: After consideration of the changes to this amendment and discussion with the Joint Committee on Administrative Review, the department decided to withdraw this amendment. The department will file these changes in a future amendment.

**Title 2—DEPARTMENT OF AGRICULTURE**  
**Division 80—State Milk Board**  
**Chapter 5—Inspections**

## ORDER OF RULEMAKING

By the authority vested in the State Milk Board under section 196.939, RSMo 2000, the board hereby amends a rule as follows:

**2 CSR 80-5.010 Inspection Fees is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 16, 2007 (32 MoReg 1093–1095). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No public hearing was held. No written comments were received during the comment period.

**Title 10—DEPARTMENT OF NATURAL RESOURCES**  
**Division 10—Air Conservation Commission**  
**Chapter 6—Air Quality Standards, Definitions, Sampling and Reference Methods and Air Pollution Control Regulations for the Entire State of Missouri**

## ORDER OF RULEMAKING

By the authority vested in the Missouri Air Conservation Commission under section 643.050, RSMo 2000, the commission amends a rule as follows:

**10 CSR 10-6.110 is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on June 15, 2007 (32 MoReg 976–987). Those sections with changes are reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The Missouri Department of Natural Resources' Air Pollution Control Program received comments on the proposed amendment from eight (8) sources: Missouri Air Conservation Commission, City of Independence Water Pollution Control Department, Kansas City Health Department, Regulatory Environmental Group for Missouri (REGFORM), Springfield-Greene County Health Department, St. Louis City Health Department, St. Louis County Health Department, and U.S. Environmental Protection Agency (EPA).

**COMMENT #1:** Following the conclusion of the annual program financial review presentation, the commission asked questions regarding 1) the need for legislative action to fund revenue options, 2) the role and funding of nonprofit organizations, 3) pass-through funding, and 4) what programs do not fully fund themselves with current fees.

**RESPONSE:** Legislative action is required for funding the revenue options presented. Nonprofit organizations are, for example, Mid-America Regional Council in Kansas City and East-West Gateway Council of Governments, American Lung Association, and Washington University in St. Louis. These organizations coordinate outreach efforts and coordinate community involvement with rulemakings and State Implementation Plan developments. Pass-through funding provides financial resources for these organizations. There are agreements with the receiving organizations providing for budgets, work plans, performance measures, and reports. The Air Program's Permit & Emission Fee and Asbestos Fee funds are no longer self-sufficient sources of revenue. For example, in State Fiscal Year 2006, asbestos fees generated approximately three hundred four thousand dollars (\$304,000) and expended approximately four hundred thirty-one thousand dollars (\$431,000), for asbestos related costs. The Permit & Emission Fee fund generated approximately \$9.5 million and expended approximately \$10.1 million for air activities. The current fee rates do not generate the required revenue to fund a full twelve (12) months of operations. This failure to generate sufficient revenue to cover the annual cost of administering the programs has created a serious cash flow problem. If asbestos fees are not increased, to be more in line with the actual costs of day-to-day business, the asbestos fund balance will be in the negative and the program will have to use another source of revenue to fund asbestos activities. The same goes for the Permit & Emission Fee fund, even with the proposed forty dollars (\$40) per ton, the expenditures are still expected to exceed revenues. No wording changes have been made to the proposed rulemaking as a result of this comment.

**COMMENT #2:** At the conclusion of the emission fee rule testimony, the commission asked questions regarding 1) wide range of fees charged compared to other states, 2) any fees charged on mobile sources by other states, 3) removal of the chargeable emissions limit cap of twelve thousand (12,000) tons of regulated pollutants emitted, 4) percentage of total regulated pollutants derived from mobile sources versus stationary sources, and 5) percentage of Air Program budget regulating mobile sources.

**RESPONSE:** Emission fees and how they are charged by the states is very difficult to compare as the states utilize various methods. As presented in the fee rule testimony, a survey of the eight (8) states contiguous to Missouri shows a variety of ways to establish fees for emissions. Arkansas, Iowa, Kansas, Kentucky, Nebraska, and Oklahoma use a cost per ton factor (range twenty dollars and ninety-six cents to sixty-one dollars (\$20.96 to \$61)). Illinois uses a graded fee structure based on level of emissions. Tennessee uses a fee structure based on major and minor sources. Also, fees are charged for construction permits based on anticipated emissions. The state of Illinois charges a type of fuel tax to fund the state's automobile inspection and maintenance program on the Illinois side of the St. Louis metropolitan area. Air Program is not aware of any other states charging fees on mobile sources. Legislation would be required to remove the chargeable emissions limit cap. Based on the St. Louis emission inventory, on and off road mobile source emissions make up approximately fifty percent (50%) of the emissions in the St. Louis area based on a typical summer day emissions. This is also probably representative of emissions statewide. On-road mobile emissions represent thirty-one percent (31%) of volatile organic compounds and off-road emissions represent twenty-one percent (21%). On-road mobile emissions represent forty-three percent (43%) of nitrogen oxides and off-road emissions represent seventeen percent (17%). It is estimated that approximately twelve percent (12%) of the Air Program budget goes toward regulating mobile sources. This percentage reflects the cost of the Inspection Maintenance Program,

Stage II Program, and estimates the additional expense of developing emission inventories and control strategies for mobile sources, as there is no activity code or project code established that would have captured this information. No wording changes have been made to the proposed rulemaking as a result of this comment.

**COMMENT #3:** The City of Independence Water Pollution Control Department and the St. Louis County Health Department commented that the emission statement requirements in subsection (1)(B) and paragraph(3)(A)4. are conflicting.

**RESPONSE AND EXPLANATION OF CHANGE:** After review of these requirements, the rule text in paragraph (3)(A)4. was revised to reflect that emission statements for facilities in ozone nonattainment areas are required annually.

**COMMENT #4:** EPA and the St. Louis County Health Department commented that the fourth sentence in paragraph (3)(A)3. states that sources are allowed to file reports once every five (5) years which conflicts with the reporting frequency table in paragraph (3)(A)6.

**RESPONSE AND EXPLANATION OF CHANGE:** As a result of this comment, the sentence was deleted from the rule text since it was redundant information that is not needed since reporting frequency requirements are specified in the table in paragraph (3)(A)6.

Due to the similarity of the following four (4) comments, one (1) response that addresses these comments can be found at the end of these four (4) comments.

**COMMENT #5:** The Kansas City Health Department is supportive of the increase of the emissions fee to forty dollars (\$40) per ton of regulated air pollutant emitted. The Kansas City program is supported by a mix of federal, state, and local revenues. State emission fees provide about fifty-seven percent (57%) of the program's budget. This level of funding has remained essentially level for the past several years despite increasing direct costs, principally salary and fringe benefits for employees. Maintaining state emissions fees on a flat basis will not provide funds to maintain a quality program. As Kansas City recently violated EPA's ozone standard, an increase in the emissions fee is needed to help fund efforts to avoid further violations. The Kansas City program views air management for the Kansas City area as a federal, state, and local partnership.

**COMMENT #6:** The Springfield-Greene County Health Department is supportive of the increase of the emissions fee to forty dollars (\$40) per ton of regulated air pollutant emitted. State funding of Springfield's Air Quality Control Program has remained essentially stagnant for the past four (4) years. At the same time, operational costs continue to increase in order to meet of the needs of the area's fast growing population. Again, due to the rapid growth of the area, new programs and services have been added resulting in additional financial demands on the Springfield Program. Stagnant funding has hindered training efforts for staff and area businesses. Adequate funding is needed to protect public health and be proactive in protecting public health. The Springfield Program understands that the proposed emissions fee increase does not provide adequate support for the state and local programs into the future. The Springfield Program encourages the state, the commission, the department, and local agencies to continue their efforts to find alternative funding sources.

**COMMENT #7:** The St. Louis City Health Department is supportive of the increase of the emissions fee to forty dollars (\$40) per ton of regulated air pollutant emitted. State and local air pollution control programs are primarily funded by a combination of federal funds and state fees. Increased costs at the local level and flat funding in recent years have made it difficult to be competitive in salaries and recruitment of technical staff and timeliness and quality of services. The St. Louis City Health Department is committed to providing effective and efficient services to those sources of air pollution that fall under regulation in a manner that reduces air pollutants to protect public health.

**COMMENT #8:** The St. Louis County Health Department is supportive of the increase of the emissions fee to forty dollars (\$40) per ton of regulated air pollutant emitted. A large component of St. Louis County Health Department's success is directly related to the agency receiving adequate funding for staff and operating expenses from the state through various venues including emission fees. These funds provide the foundation for a number of air related activities including interaction with the regulated community. Without funding, supported in part by emission fees, the St. Louis County Program would be challenged to provide the level of service to which its permit holders are entitled and which they have come to expect. Due to the stagnant level of state funding of the past several years, the St. Louis County Program is finding it more difficult to carry out its contracted scope of work. In essence, a quality level of service cannot be maintained on stagnant funding levels. It is recognized that if this emissions fee increase is approved that the statutory maximum fee would be attained.

**RESPONSE:** The emissions fee is required to be set annually by statute and the emissions fee level is reviewed annually in cooperation with the regulated community to establish an annual fee amount to support the financial integrity of the program. The cities' and counties' support of the proposed emissions fee of forty dollars (\$40) per ton is appreciated. The increase of the fee to forty dollars (\$40) per ton is necessary to help maintain the financial integrity of the program, to provide a viable program for the benefit of Missouri's citizens and their children, to support a quality air pollution control program, and to assure federal obligations can be met. The level of state funding provided by the emissions fees collected is a significant and important funding source to the local air agencies that provide air quality protection and service. An emissions fee increase by the commission is also necessary to address the financial difficulties of increasing local program costs and the effects of economic inflation. No wording changes have been made to the proposed rulemaking as a result of these comments.

**COMMENT #9:** The Regulatory Environmental Group for Missouri (REGFORM) supports raising the emissions fee from thirty-four dollars and fifty cents to thirty-eight dollars (\$34.50 to \$38) per ton—a ten percent (10%) increase in the emissions fee for calendar year 2007. REGFORM believes that its member companies and others have shouldered the burden of the Title V support while other significant emission sources, particularly mobile, have not paid a fair share or any share at all. They believe it is flawed and unfair to reward reductions in air emissions by increasing the fee per ton. Therefore, REGFORM is asking the Missouri Air Conservation Commission to hold the line on the emissions fee at thirty-eight dollars (\$38) per ton and, working with the Missouri Department of Natural Resources and others, to implement a long-term solution to the funding of the Air Program. They also proposed a list of actions they support to help locate and support alternative sources of revenue, continue vigilance with respect to federal monies, and work with the Air Program to streamline important regulatory activities. REGFORM opposes raising the cap for the emissions fee or adjustments with existing facility limits. They believe any new sources of revenue derived should be drafted to have the new revenue streams flow to the Air Program during the fall of 2008.

**RESPONSE:** As presented in the financial testimony, even with the forty dollars (\$40) proposed fee increase, there is a shortfall of funding to sufficiently fund a full year of the department's air media activities. At the proposed forty dollars (\$40) fee rate payable June 1, 2008, the cash flow problem is projected to occur in March 2009. An additional source of revenue would be required for the program to continue operating until June 2009, when fees are again due. A fee rate of thirty-eight dollars (\$38) per ton, which was proposed by REGFORM, would only accelerate this cash flow problem. Over the past several years, much effort has been expended in finding opportunities for streamlining the Air Program. Where possible, streamlining efforts have been implemented. If additional streamlining

opportunities are identified, the Air Program stands ready to consider and implement those opportunities if reasonable and appropriate. Any basic change in funding of the Air Program will most likely require proposing legislation in the Missouri General Assembly. Proposing successful legislation can be a long process to bring to fruition. In many instances, this is accomplished over multiple legislative sessions. Legislative proposals for the 2008 session of the General Assembly will be competing with many other issues for time and attention as 2008 is a general election year in the nation and Missouri. The Air Program will work with REGFORM and other parties to determine, consider, and implement a fair and equitable long-term funding solution to meet the financial needs to fund a viable quality Air Pollution Control Program for the state of Missouri and its citizens. No wording changes have been made to the proposed rulemaking as a result of these comments.

**COMMENT #10:** The St. Louis County Health Department commented that the table in paragraph (3)(A)6., section 3, should have the last line re-worded to state — but not required to obtain an operating permit. The current version makes it appear that the source is not accepting an operating permit. Also, the new section 5. of this table states—for any one (1) pollutant during the Peak Ozone Season. It should state—for any one (1) pollutant annually.

**RESPONSE AND EXPLANATION OF CHANGE:** As a result of this comment, the wording in the table in paragraph (3)(A)6., section 3, has been changed for clarity and the section 5 wording has been changed to eliminate the conflict between subsection (1)(B) and paragraph (3)(A)4.

**COMMENT #11:** The St. Louis County Health Department commented that the new paragraph (3)(A)5. states "... in accordance with the requirements in section (4) of this rule...". Since there is no section (4) in the rule, this phrase should be deleted.

**RESPONSE:** Section (4) entitled Reporting and Record Keeping exists in the rule although the section was not published as part of the proposed amendment in the June 15, 2007 *Missouri Register* because no changes were proposed. Therefore, this phrase should remain in the rule text and no wording changes have been made as a result of this comment.

**COMMENT #12:** The St. Louis County Health Department commented that all crematories that burn only human or animal remains should be exempt from all EIQ requirements. (Reasoning: Each crematory reports less than one (<1) ton of annual emissions; it is an inefficient use of their time and staff time to require EIQ's of these facilities. The impact to MDNR revenue should be minimal.)

**RESPONSE:** Since this suggested change was not part of the amendment proposed in the public notice, no wording changes can be made to the proposed rulemaking as a result of this comment at this time. However, the Air Program will keep on file the comment regarding crematories for consideration on any amendment proposed in the future.

#### **10 CSR 10-6.110 Submission of Emission Data, Emission Fees and Process Information**

##### **(3) General Provisions.**

###### **(A) Record Keeping and Reporting Requirements.**

1. The owner or operator of an installation that is a source of any air contaminant shall collect, record and maintain, during each calendar year of operation—the time period and duration of emissions; the amounts of processed materials, fuels and solvents consumed; and the amounts of process materials, fuels and solvents stored in tanks and storage piles which emit any regulated air pollutant.

2. The owner or operator of an installation subject to paragraph (3)(A)1. of this rule shall file with the director, on the frequency specified in paragraph (3)(A)6. of this rule, reports containing the

information specified in paragraph (3)(A)1. of this rule. The reports shall specify the type and location of all sources of regulated air pollutants and the amount of each type of regulated air pollutant at each location; the size and height of all emission outlets, stacks and vents; the processes employed, including all fuel combustion and incineration; the type of air pollution control equipment used at the installation; the capture efficiency and control efficiency of the air pollution control equipment, where applicable; and ozone season information (Form 2.0Z) from sources located in nonattainment areas. Capture efficiency shall be applicable to emission points which are controlled by air pollution control devices and are not fully enclosed. Capture efficiency is not applicable to fugitive dust. The department encourages facilities to perform tests to determine capture efficiency. Industrial ventilation principles and engineering calculations may be used if testing is physically impossible or cost prohibitive. If testing or engineering calculation is not possible, then a default value of fifty percent (50%) capture efficiency may be used. Documentation verifying the capture efficiency shall be included with the EIQ. The owner or operator may submit a report containing information of a different nature provided the information submitted is adequate for the purposes of air quality planning and fee assessment and is approved by the director. Information submitted shall be reduced by the director to emission data as defined in 10 CSR 10-6.210(3)(B)2.

3. The reports required by paragraphs (3)(A)2. and 4. of this rule shall be completed on state supplied EIQ forms or in a form satisfactory to the director and shall be submitted to the director by June 1 after the end of each reporting period. After the effective date of this rule, any revision to the EIQ forms will be presented to the regulated community for a forty-five (45)-day comment period. The reporting periods for an installation, as determined by the reporting frequency specified in paragraph (3)(A)6. of this rule, shall end on

December 31 of each calendar year. Each report shall contain the information required by paragraph (3)(A)2. of this rule for each air contaminant source at the installation for the twelve (12)-month period immediately preceding the end of the reporting period, in addition to the information required under paragraph (3)(A)1. of this rule to be collected, recorded and maintained during each year of operation of the installation.

4. For sources located in ozone nonattainment areas, an emission statement is required if the actual emission of nitrogen oxides ( $\text{NO}_x$ ), volatile organic compounds (VOCs) or carbon monoxide (CO) is equal to or greater than ten (10) tons for any one (1) pollutant annually. Emissions of each pollutant shall be reported if a facility meets the ten (10) ton threshold for any of the three (3) pollutants. Emissions statement reporting requirements shall be completed on state supplied EIQ forms and include the information required at paragraph (3)(A)2. of this rule and ozone season information for VOC,  $\text{NO}_x$  and CO emissions and any other criteria pollutant requested by the director. After the effective date of this rule, any revision to the EIQ forms will be presented to the regulated community for a forty-five (45)-day comment period. Emission statements shall be submitted in accordance with the schedule in paragraph (3)(A)6. of this rule.

5. All data collected and recorded in support of the provisions of this rule shall be retained in accordance with the requirements in section (4) of this rule by the owner or operator for not less than five (5) years after the end of the calendar year in which the data was collected and all these records shall be made available to the director upon his/her request.

6. The reports required by paragraphs (3)(A)2. and 4. of this rule shall be filed on the following frequency:

#### Reporting Frequency

Installation Classification	Emission Inventory Questionnaire	
	Nonattainment Area	All Other
1. Any installation required to obtain a Part 70 or Intermediate State Operating Permit under 10 CSR 10-6.065.	Annually	Annually
2. Any installation required to obtain a Basic State Operating Permit under 10 CSR 10-6.065.	Once every three (3) years	Once every three (3) years
3. Any installation required to obtain a construction permit under 10 CSR 10-6.060 or accepting a permit-by-rule under 10 CSR 10-6.062, but not required to obtain an operating permit.	Once every six (6) years	Once every six (6) years
4. Any installation required to submit an EIQ by the director.	Within forty-five (45) days of request	Within forty-five (45) days of request
5. Any ozone nonattainment area installation whose actual emissions of VOC, $\text{NO}_x$ or CO is equal to or greater than ten (10) tons for any one (1) pollutant annually.	Annually, an emission statement is required	Exempt, no emission statement required

(D) Emission Fees.

1. Any air contaminant source required to obtain a permit under sections 643.010–643.190, RSMo, except sources that produce charcoal from wood, shall pay an annual emission fee, regardless of their EIQ reporting frequency, of forty dollars and no cents (\$40.00) per ton of regulated air pollutant emitted starting with calendar year 2007 in accordance with the conditions specified in paragraph (3)(D)2. of this rule. Sources which are required to file reports once every three (3) or six (6) years may use the information in their most recent EIQ to determine their annual emission fee if they have an EIQ on file. Sources that increase or decrease emissions by twenty percent (20%) will be required to provide a complete (rather than the short form) EIQ for that year and every CERR reporting year thereafter (i.e., 2011, 2014, 2017, etc. as applicable).

2. General requirements.

A. The fee shall apply to the first four thousand (4,000) tons of each regulated air pollutant emitted. However, no air contaminant source shall be required to pay fees on total emissions of regulated air pollutants in excess of twelve thousand (12,000) tons in any calendar year. A permitted air contaminant source which emitted less than one (1) ton of all regulated pollutants shall pay a fee equal to the amount of one (1) ton.

B. The fee shall be based on the information provided in the facility's EIQ.

C. An air contaminant source which pays emissions fees to a holder of a certificate of authority issued pursuant to section 643.140, RSMo, may deduct those fees from the emission fee due under this section.

D. The fee imposed under paragraph (3)(D)1. of this rule shall not apply to ammonia, carbon monoxide, and PM<sub>2.5</sub> particulate matter emissions.

E. The fees for emissions produced during the previous calendar year shall be due June 1 each year for all United States Department of Labor Standard Industrial Classifications. The fees shall be payable to the Department of Natural Resources.

F. All Emissions Inventory Questionnaire forms or equivalent approved by the director shall be due annually on June 1 according to the required reporting schedules in paragraph (3)(A)6. of this rule for all United States Department of Labor Standard Industrial Classifications.

G. For the purpose of determining the amount of air contaminant emissions on which the fees are assessed, a facility shall be considered one (1) source under the definition of section 643.078.2, RSMo, except that a facility with multiple operating permits shall pay emission fees separately for air contaminants emitted under each individual permit.

3. Fee collection. The annual changes to this rule to establish emission fees for a specific year do not relieve any source from the payment of emission fees for any previous year.

**Title 10—DEPARTMENT OF NATURAL RESOURCES**  
**Division 25—Hazardous Waste Management Commission**  
**Chapter 2—Commission Procedures**

**ORDER OF RULEMAKING**

By the authority vested in the Hazardous Waste Management Commission under sections 260.370 and 621.250, RSMo Supp. 2006, the commission adopts a rule as follows:

10 CSR 25-2.020 is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the April 16, 2007 *Missouri Register* (32 MoReg 640–641). One change was made to the Authority section of the proposed rule and that portion of the rule is reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

**SUMMARY OF TESTIMONY:** During the public hearing before the Missouri Hazardous Waste Management Commission on June 21, 2007, the department testified that the proposed rule establishes a procedure for appealing department decisions and requesting a hearing before the state's Administrative Hearing Commission (AHC). The rule further establishes a procedure for disposition of the AHC's recommendation after the hearing has been conducted. The department testified that the rule resulted from statutory changes contained in House Bill 824, passed by the 2005 General Assembly and also from the work of the department's Commissioner Core Workgroup. The department further testified that the substantive portions of the rule concerning deadlines for requesting appeals and for referring the AHC's recommendation back to the commission codify the requirements of the statute. Other than the department, there was no testimony at the public hearing either in support of or opposed to the rule. The department received a letter dated June 29, 2007, from Carol Eighmey, Executive Director of the Petroleum Storage Tank Insurance Fund (PSTIF). The letter contained four (4) comments requesting clarification on the applicability of the rule and also commenting on portions of the rule itself. Below are summaries of the comments and the department's response.

**COMMENT #1:** Carol Eighmey (PSTIF) commented that a "dispute resolution process" at the department level is not included in the Missouri Risk Based Corrective Action guidance document for petroleum storage tanks or in this draft rule.

**RESPONSE:** The department will be including in a revision of the Missouri Risk Based Corrective Action (MRBCA) guidance document for petroleum storage tanks a review process that is identical to the process described in Appendix D of the 2006 MRBCA departmental technical guidance document. Appendix D lays out a process to contest any written decision of a project manager regarding the applicability of the MRBCA guidance or rules to a specific site being addressed under those rules or guidance. The decision is first informally appealed to the project manager's direct supervisor, then to the section chief of the Tanks Section or the director of the Hazardous Waste Program. The program director's decision is considered a final decision that may be appealed pursuant to Chapter 536, RSMo. This process is simple, expeditious, effective, and will provide the remediating party directly affected by a MRBCA decision a means to voice any concerns.

**COMMENT #2:** Carol Eighmey (PSTIF) commented that the rule is unclear as to the application of this rule to decisions made by Tanks Section staff using rules promulgated by the Clean Water Commission.

**RESPONSE:** Senate Bill 901, in the 2004 legislative session, transferred oversight of the underground storage tank program from the Clean Water Commission (CWC) to the Hazardous Waste Management Commission (HWMC). Since the HWMC provides oversight for the Tanks Section and the regulations by which they operate, all decisions made by Tanks staff will be overseen by the HWMC.

**COMMENT #3:** Carol Eighmey (PSTIF) commented that if the rule applied to Tanks sites, then an extended time frame for filing an appeal or requesting a hearing in (3)(A) should be substituted for the required thirty (30) days.

**RESPONSE:** The thirty (30)-day time line for requesting a hearing is established by statute in section 621.250(2), RSMo. Because the timeline is established in the statute, the department is prohibited from allowing additional time to file a petition for a hearing.

**COMMENT #4:** Carol Eighmey (PSTIF) commented that the process outlined in the rule is not a cost effective means for resolving the type of disputes typically seen during tank site cleanups. She urged that the commission be used as an "informal sounding board" for review of such matters, or in the alternative that the department

establish a process that allows for mediation by a qualified, independent mediator.

**RESPONSE:** As discussed in the department's response to an earlier comment, informal appeals of department decisions made during the risk-based cleanup process may be made through an internal review process. Decisions made by department staff during that review process may ultimately be appealed pursuant to Chapter 536, RSMo. The informal review process should offer an efficient, cost-effective and fair method to resolve many, if not most, disputes before the more expensive and time-consuming formal appeals process.

**COMMENT #5:** While reviewing the proposed rule, a Department of Natural Resources staff person commented that the Authority section of the rule contained an incorrect citation. The citation should be to 621.250, RSMo and not to 621.050, RSMo.

**RESPONSE AND EXPLANATION OF CHANGE:** The department agrees with the comment and has included a change to the Authority section in this order of rulemaking.

#### **10 CSR 25-2.020 Hazardous Waste Management Commission Appeals and Requests for Hearings**

**AUTHORITY:** sections 260.370, 621.250 and 640.013, RSMo Supp. 2006. Original rule filed March 15, 2007.

#### **Title 11—DEPARTMENT OF PUBLIC SAFETY Division 50—Missouri State Highway Patrol Chapter 2—Motor Vehicle Inspection Division**

##### **ORDER OF RULEMAKING**

By the authority vested in the superintendent of the Missouri State Highway Patrol under section 307.360, RSMo. 2000, the superintendent hereby rescinds a rule as follows:

##### **11 CSR 50-2.400 Emission Test Procedures is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on July 16, 2007 (32 MoReg 1122). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

**SUMMARY OF COMMENTS:** No comments were received.

#### **Title 13—DEPARTMENT OF SOCIAL SERVICES Division 35—Children's Division Chapter 32—Child Care**

##### **ORDER OF RULEMAKING**

By the authority vested in the Children's Division under section 207.020, RSMo 2000, the director adopts a rule as follows:

##### **13 CSR 35-32.010 Basis of Payment is adopted.**

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on July 16, 2007 (32 MoReg 1122-1123). No changes have been made in the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

**SUMMARY OF COMMENTS:** No comments were received.

#### **Title 13—DEPARTMENT OF SOCIAL SERVICES Division 40—Division of Family Services Chapter 32—Child Care**

##### **ORDER OF RULEMAKING**

By the authority vested in the Family Support Division under section 207.020, RSMo 2000, the director rescinds a rule as follows:

##### **13 CSR 40-32.010 Basis of Payment is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on July 16, 2007 (32 MoReg 1123). No changes have been made in the text of the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after the publication in the *Code of State Regulations*.

**SUMMARY OF COMMENTS:** No comments were received.

#### **Title 20—DEPARTMENT OF INSURANCE, FINANCIAL INSTITUTIONS AND PROFESSIONAL REGISTRATION**

#### **Division 2030—Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects Chapter 2—Code of Professional Conduct**

##### **ORDER OF RULEMAKING**

By the authority vested in the Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects under section 327.041, RSMo Supp. 2006, the board adopts a rule as follows:

##### **20 CSR 2030-2.040 Standard of Care is adopted.**

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on July 16, 2007 (32 MoReg 1129). No changes have been made to the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

**SUMMARY OF COMMENTS:** Two (2) comments were received, both of which were in support of the proposed rule. No public hearing was held.

**COMMENT:** The board received two (2) letters in support of the proposed rule. One (1) from the American Council of Engineering Companies of Missouri (ACECMo) and the other from the Missouri Society of Professional Engineers (MSPE). ACECMo and MSPE support the rule as it appears in the July 16, 2007 *Missouri Register*.

**RESPONSE:** The board acknowledged these comments and very much appreciates this support. No changes to the proposed rule were made.

#### **Title 20—DEPARTMENT OF INSURANCE, FINANCIAL INSTITUTIONS AND PROFESSIONAL REGISTRATION**

#### **Division 2030—Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects Chapter 2—Code of Professional Conduct**

##### **ORDER OF RULEMAKING**

By the authority vested in the Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects under section 327.041, RSMo Supp. 2006, the board adopts a rule as follows:

**20 CSR 2030-2.050** is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on July 16, 2007 (32 MoReg 1129). Those sections with changes are reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

**SUMMARY OF COMMENTS:** Two (2) comments were received, one from the American Council of Engineering Companies of Missouri (ACECMo) and the other from the Missouri Society of Professional Engineers (MSPE). The two (2) comments received by the board were in general support of the proposed change but contained a suggestion for a specific revision. No public hearing was held.

**COMMENT:** The American Council of Engineering Companies of Missouri (ACECMo) and the Missouri Society of Professional Engineers (MSPE) have both suggested that the proposed rule be amended to require identification of the entity that provides the certificate of authority (with that identification number) for the employer of the licensee sealing the project when appropriate.

**RESPONSE AND EXPLANATION OF CHANGE:** The board agrees with these comments and has revised the rule by amending subsections (2)(F)–(G) and adding subsection (2)(H).

#### **20 CSR 2030-2.050 Title Block**

(2) The title block must, at a minimum, contain the following information:

- (F) Space for the licensee's signature, date and seal;
- (G) The printed name, discipline, and license number of the person sealing the document; and
- (H) The printed name, discipline, and certificate of authority number of the corporation as defined in section 327.011, RSMo.

#### **Title 20—DEPARTMENT OF INSURANCE, FINANCIAL INSTITUTIONS AND PROFESSIONAL REGISTRATION**

**Division 2030—Missouri Board for Architects,  
Professional Engineers, Professional Land Surveyors,  
and Landscape Architects**  
**Chapter 4—Applications**

#### **ORDER OF RULEMAKING**

By the authority vested in the Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects under section 327.041, RSMo Supp. 2006, the board amends a rule as follows:

**20 CSR 2030-4.050 Criteria to File Application Under 327.391,  
RSMo is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 16, 2007 (32 MoReg 1129–1130). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

**SUMMARY OF COMMENTS:** No comments were received.

#### **Title 20—DEPARTMENT OF INSURANCE, FINANCIAL INSTITUTIONS AND PROFESSIONAL REGISTRATION**

**Division 2030—Missouri Board for Architects,  
Professional Engineers, Professional Land Surveyors,  
and Landscape Architects**  
**Chapter 4—Applications**

#### **ORDER OF RULEMAKING**

By the authority vested in the Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects under sections 327.041 and 327.381, RSMo Supp. 2006, the board amends a rule as follows:

**20 CSR 2030-4.070 Evaluation—Comity Applications—Engineers  
is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 16, 2007 (32 MoReg 1130). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

**SUMMARY OF COMMENTS:** No comments were received.

#### **Title 20—DEPARTMENT OF INSURANCE, FINANCIAL INSTITUTIONS AND PROFESSIONAL REGISTRATION**

**Division 2030—Missouri Board for Architects,  
Professional Engineers, Professional Land Surveyors,  
and Landscape Architects**  
**Chapter 5—Examinations**

#### **ORDER OF RULEMAKING**

By the authority vested in the Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects under sections 327.041 and 327.314, RSMo Supp. 2006 and 327.312, RSMo 2000, the board amends a rule as follows:

**20 CSR 2030-5.110 Standards for Admission to Examination—  
Professional Land Surveyors is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 16, 2007 (32 MoReg 1130–1131). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

**SUMMARY OF COMMENTS:** No comments were received.

#### **Title 20—DEPARTMENT OF INSURANCE, FINANCIAL INSTITUTIONS AND PROFESSIONAL REGISTRATION**

**Division 2030—Missouri Board for Architects,  
Professional Engineers, Professional Land Surveyors,  
and Landscape Architects**  
**Chapter 8—Land Surveying**

#### **ORDER OF RULEMAKING**

By the authority vested in the Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape

Architects under section 327.041, RSMo Supp. 2006, the board amends a rule as follows:

**20 CSR 2030-8.020** Professional Land Surveyor—Professional Development Units **is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 16, 2007 (32 MoReg 1131). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

**SUMMARY OF COMMENTS:** No comments were received.

**Title 20—DEPARTMENT OF INSURANCE,  
FINANCIAL INSTITUTIONS AND PROFESSIONAL  
REGISTRATION**

**Division 2030—Missouri Board for Architects,  
Professional Engineers, Professional Land Surveyors,  
and Landscape Architects**  
**Chapter 10—Corporations**

**ORDER OF RULEMAKING**

By the authority vested in the Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects under section 327.041, RSMo Supp. 2006, the board amends a rule as follows:

**20 CSR 2030-10.010** Application for Certificate of Authority **is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 16, 2007 (32 MoReg 1131–1132). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

**SUMMARY OF COMMENTS:** No comments were received.

**Title 20—DEPARTMENT OF INSURANCE,  
FINANCIAL INSTITUTIONS AND PROFESSIONAL  
REGISTRATION**

**Division 2030—Missouri Board for Architects,  
Professional Engineers, Professional Land Surveyors,  
and Landscape Architects**  
**Chapter 11—Renewals**

**ORDER OF RULEMAKING**

By the authority vested in the Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects under section 327.041, RSMo Supp. 2006, the board amends a rule as follows:

**20 CSR 2030-11.020** Professional Land Surveyor—Renewal and Reactivation of Licensure **is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 16, 2007 (32 MoReg 1132). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

**SUMMARY OF COMMENTS:** No comments were received.

**Title 20—DEPARTMENT OF INSURANCE,  
FINANCIAL INSTITUTIONS AND PROFESSIONAL  
REGISTRATION**

**Division 2030—Missouri Board for Architects,  
Professional Engineers, Professional Land Surveyors,  
and Landscape Architects**  
**Chapter 11—Renewals**

**ORDER OF RULEMAKING**

By the authority vested in the Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects under sections 327.041, RSMo Supp. 2006 and 327.261 and 327.271.1, RSMo 2000, the board amends a rule as follows:

**20 CSR 2030-11.030** Professional Engineer Renewal and Reactivation of Licensure **is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 16, 2007 (32 MoReg 1132–1133). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

**SUMMARY OF COMMENTS:** No comments were received.

**Title 20—DEPARTMENT OF INSURANCE,  
FINANCIAL INSTITUTIONS AND PROFESSIONAL  
REGISTRATION**

**Division 2030—Missouri Board for Architects,  
Professional Engineers, Professional Land Surveyors,  
and Landscape Architects**  
**Chapter 16—Missouri Minimum Standards for Property  
Boundary Surveys**

**ORDER OF RULEMAKING**

By the authority vested in the Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects under section 327.041, RSMo Supp. 2006, the board amends a rule as follows:

**20 CSR 2030-16.050** Use of Missouri Coordinate System, 1983 **is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 16, 2007 (32 MoReg 1133). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

**SUMMARY OF COMMENTS:** No comments were received.

**Title 20—DEPARTMENT OF INSURANCE,  
FINANCIAL INSTITUTIONS AND PROFESSIONAL  
REGISTRATION**

**Division 2030—Missouri Board for Architects,  
Professional Engineers, Professional Land Surveyors,  
and Landscape Architects**  
**Chapter 16—Missouri Minimum Standards for Property  
Boundary Surveys**

**ORDER OF RULEMAKING**

By the authority vested in the Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects under section 327.041, RSMo Supp. 2006, the board amends a rule as follows:

**20 CSR 2030-16.100 Detail Requirements for Condominium Surveys is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 16, 2007 (32 MoReg 1133). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 20—DEPARTMENT OF INSURANCE,  
FINANCIAL INSTITUTIONS AND PROFESSIONAL  
REGISTRATION**

**Division 2030—Missouri Board for Architects,  
Professional Engineers, Professional Land Surveyors,  
and Landscape Architects**

**Chapter 17—United States Public Land Survey Corners**

**ORDER OF RULEMAKING**

By the authority vested in the Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects under section 327.041, RSMo Supp. 2006, the board amends a rule as follows:

**20 CSR 2030-17.050 Monumentation is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 16, 2007 (32 MoReg 1134). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 20—DEPARTMENT OF INSURANCE,  
FINANCIAL INSTITUTIONS AND PROFESSIONAL  
REGISTRATION**

**Division 2030—Missouri Board for Architects,  
Professional Engineers, Professional Land Surveyors,  
and Landscape Architects**

**Chapter 17—United States Public Land Survey Corners**

**ORDER OF RULEMAKING**

By the authority vested in the Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects under section 327.041, RSMo Supp. 2006, the board amends a rule as follows:

**20 CSR 2030-17.070 Missouri Coordinate System, 1983 is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 16, 2007 (32 MoReg 1134). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amend-

ment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 20—DEPARTMENT OF INSURANCE,  
FINANCIAL INSTITUTIONS AND PROFESSIONAL  
REGISTRATION**

**Division 2030—Missouri Board for Architects,  
Professional Engineers, Professional Land Surveyors,  
and Landscape Architects**

**Chapter 18—First and Second Order Horizontal and  
Vertical Control**

**ORDER OF RULEMAKING**

By the authority vested in the Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects under section 327.041, RSMo Supp. 2006, the board amends a rule as follows:

**20 CSR 2030-18.070 Waiver of 1 Km Limitation is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 16, 2007 (32 MoReg 1134-1135). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 20—DEPARTMENT OF INSURANCE,  
FINANCIAL INSTITUTIONS AND PROFESSIONAL  
REGISTRATION**

**Division 2200—State Board of Nursing**

**Chapter 2—Minimum Standards for Approved Programs  
of Professional Nursing**

**ORDER OF RULEMAKING**

By the authority vested in the State Board of Nursing under sections 335.036 and 335.071, RSMo 2000, the board rescinds a rule as follows:

**20 CSR 2200-2.001 Definitions is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on June 1, 2007 (32 MoReg 843). No changes have been made to the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 20—DEPARTMENT OF INSURANCE,  
FINANCIAL INSTITUTIONS AND PROFESSIONAL  
REGISTRATION**

**Division 2200—State Board of Nursing**

**Chapter 2—Minimum Standards for Approved Programs  
of Professional Nursing**

**ORDER OF RULEMAKING**

By the authority vested in the State Board of Nursing under section 335.036 and 335.071, RSMo 2000, the board adopts a rule as follows:

20 CSR 2200-2.001 is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on June 1, 2007 (32 MoReg 843-844). Those sections with changes are reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

**SUMMARY OF COMMENTS:** The Missouri State Board of Nursing received one (1) public comment and made one (1) change to the text of the rule based on their review.

**COMMENT #1:** The board reviewed the rule and determined that a definition was needed for "clinical simulation."

**RESPONSE AND EXPLANATION OF CHANGE:** The board added a definition for "clinical simulation" in section (1) of the rule and renumbered the remaining sections of the rule accordingly.

**COMMENT #2:** Nancy DeBasio, Research College of Nursing stated that the term "mission and philosophy" may be used together or separately by nursing programs.

**RESPONSE AND EXPLANATION OF CHANGE:** The board concurred and changed "philosophy/mission" to "philosophy and/or mission" in subsection (1)(W) of this rule.

## **20 CSR 2200-2.001 Definitions**

(1) When used in 20 CSR 2200-2, the following terms mean:

(L) Clinical simulation—An educational experience utilizing simulation experience to create realistic scenarios where students engage in nursing practice under the direction of nursing faculty;

(M) Clinical skills laboratory—Designated area where skills and procedures can be demonstrated and practiced;

(N) Conditional approval—Status of a program that has failed to meet or maintain the regulations or requirements, or both, set by the board. This status is subject to the program conforming to the requirements and recommendations within a time period set by the board;

(O) Cooperating agency—A corporation, hospital or other organization which has a written agreement with the program to provide clinical education opportunities;

(P) Coordinator—Registered professional nurse with authority and responsibility for a campus nursing program as delegated by the administrator of the nursing program;

(Q) Course objectives—Measurable statements that guide experiences and activities that help learners meet established requirements for a specific course;

(R) Curriculum—Planned studies and learning activities designed to lead students to graduation and eligibility for application for licensure;

(S) Diploma program—Program leading to diploma in nursing sponsored by a health care institution;

(T) Direct care—A clinical experience in which patient care is given by the student under the direction of the faculty member or preceptor;

(U) Distance learning—Curriculum provided from a main campus location to another geographic location, primarily through electronic or other technological methods;

(V) Endorsement—Process of acquiring licensure as a nurse based on original licensure by examination in another state, territory or country;

(W) Faculty—Individuals designated by sponsoring institution with responsibilities for development, implementation and evaluation of philosophy and/or mission, objectives and curriculum of nursing program;

(X) Full-time—Those individuals deemed by sponsoring institution to meet definition for full-time employment;

(Y) Generic—Initial educational program in nursing leading to entry-level licensure;

(Z) Governing body—Body authorized to establish and monitor policies and assume responsibility for the educational programs;

(AA) Graduate competency—Individual graduate behaviors;

(BB) Grievance policy and procedure—An established procedure for processing complaints; may also be known as a complaint procedure, due process, appeals procedure or problem resolution;

(CC) Initial approval—Status granted a program of professional nursing until full approval status is granted or denied;

(DD) Minimum standards—Criteria which nursing programs shall meet in order to be approved by the board;

(EE) Mission—Overall statement of purpose that faculty accept as valid and is directly related to curriculum practices;

(FF) Multiple campuses—Distinct and separate geographic location offering the same program, providing the same services, and operated by the same sponsoring institution;

(GG) NCLEX-RN® examination—National Council Licensure Examination for Registered Nurses;

(HH) Objectives—Measurable statements describing anticipated outcomes of learning;

(II) Observational experiences—Planned learning experiences designed to assist students to meet course objectives through observation;

(JJ) Part-time—Individuals deemed by the sponsoring institution to meet the definition for part-time employment;

(KK) Philosophy—A composite of the beliefs that the faculty accepts as valid and is directly related to curriculum practices;

(LL) Pilot program/project—Educational activity which has board approval for a limited time and which otherwise would be out of compliance with minimum standards;

(MM) Preceptor—Registered professional nurse assigned to assist nursing students in an educational experience which is designed and directed by a faculty member;

(NN) Program—Course of study leading to a degree or diploma;

(OO) Program outcomes—Measurable statements defining aggregate student achievements;

(PP) Requirement—A mandatory condition that a school or program meets in order to comply with minimum standards;

(QQ) Satellite location—A site geographically separate from but administered and served by a primary program campus;

(RR) Sponsoring institution—The institution that is financially and legally responsible for the nursing program;

(SS) Statement of need—Current evidence of need for professional and practical nurses and of community support;

(TT) Systematic evaluation plan—Written plan developed by faculty for comprehensive evaluation of all aspects of the program; and

(UU) Written agreement—Formal memorandum of understanding or contract between a nursing education program and a cooperating agency, which designates each party's responsibilities for the education of nursing students.

## **Title 20—DEPARTMENT OF INSURANCE, FINANCIAL INSTITUTIONS AND PROFESSIONAL REGISTRATION**

### **Division 2200—State Board of Nursing**

#### **Chapter 2—Minimum Standards for Approved Programs of Professional Nursing**

#### **ORDER OF RULEMAKING**

By the authority vested in the State Board of Nursing under sections 335.036 and 335.071, RSMo 2000, the board rescinds a rule as follows:

**20 CSR 2200-2.010 Approval is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on June 1, 2007 (32 MoReg 844). No changes have been made to the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

**SUMMARY OF COMMENTS:** No comments were received.

**Title 20—DEPARTMENT OF INSURANCE,  
FINANCIAL INSTITUTIONS AND PROFESSIONAL  
REGISTRATION**  
**Division 2200—State Board of Nursing**  
**Chapter 2—Minimum Standards for Approved Programs  
of Professional Nursing**

**ORDER OF RULEMAKING**

By the authority vested in the State Board of Nursing under sections 335.036 and 335.071, RSMo 2000, the board adopts a rule as follows:

20 CSR 2200-2.010 is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on June 1, 2007 (32 MoReg 844-852). Those sections with changes are reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

**SUMMARY OF COMMENTS:** The Missouri State Board of Nursing received one (1) public comment and made eight (8) changes to the text of the rule based on their review.

**COMMENT #1:** During review of the proposed rule the board voted to electronically notify nursing programs of the letter of intent instead of making it available via its website.

**RESPONSE AND EXPLANATION OF CHANGE:** The board amended subparagraph (4)(A)1.B.

**COMMENT #2:** During review of the proposed rule, the board voted to clarify that the number of copies of the program proposal would be specified by the board.

**RESPONSE AND EXPLANATION OF CHANGE:** The board amended paragraph (4)(A)3.

**COMMENT #3:** Nancy DeBasio, Research College of Nursing stated that the term “mission and philosophy” may be used together or separately by nursing programs.

**RESPONSE AND EXPLANATION OF CHANGE:** The board concurred and changed “philosophy/mission” to “philosophy and/or mission” in part (4)(A)4.B.(I) of this rule.

**COMMENT #4:** During review of the proposed rule the board voted that a systematic evaluation plan be added to the curriculum.

**RESPONSE AND EXPLANATION OF CHANGE:** The board amended part (4)(A)4.B.(V).

**COMMENT #5:** During review of the proposed rule the board voted that “if applicable” needed to be added to part (4)(A)4.C.(IV).

**RESPONSE AND EXPLANATION OF CHANGE:** The board amended part (3)(A)4.C.(IV).

**COMMENT #6:** During review of the proposed rule the board determined that the word “representative” needed to be changed to “representatives.”

**RESPONSE AND EXPLANATION OF CHANGE:** The board amended paragraph (4)(A)5.

**COMMENT #7:** During review of the proposed rule the board voted that the phrase “shall be evaluated at least annually” in subsection (4)(B) needs to clarify that the annual evaluation is the annual survey.

**RESPONSE AND EXPLANATION OF CHANGE:** The board amended subsection (4)(B).

**COMMENT #8:** During review of the proposed rule the board voted to allow submission of the program’s ongoing evaluation plan and data or a self-study report from the program showing evidence of meeting the minimum standards.

**RESPONSE AND EXPLANATION OF CHANGE:** The board amended paragraph (4)(C)5.

**COMMENT #9:** During review of the proposed rule the board voted to reword subsection (5)(B) since the board can no longer conduct five (5)-year paper surveys, but must complete on-site surveys.

**RESPONSE AND EXPLANATION OF CHANGE:** The board deleted language in subsections (5)(B) and (C) and replaced subsection (5)(B) with the clarified wording.

**20 CSR 2200-2.010 Approval**

**(4) Initial Approval Status.**

**(A) Process for Obtaining Initial Approval:**

1. An institution desiring to establish a program of professional nursing shall submit a letter of intent to the board at least three (3) months prior to the submission of a proposal. The letter of intent must include: the mission statement of the sponsoring institution; type and length of the nursing program proposed; and tentative budget plans including evidence of financial resources adequate for planning, implementing, and continuing the nursing program. The board will electronically notify nursing programs of the letter of intent;

2. Each sponsoring institution shall have only one (1) program proposal under consideration for initial approval at any one (1) time;

3. A program proposal shall be written and presented to the board by the administrator of the proposed program. The proposal shall bear the signature of the administrator who shall meet the criteria in 20 CSR 2200-2.060(1)(B) and shall be active in the position on a full-time basis at least nine (9) months and preferably one (1) year prior to the entry of the first class. The number of copies of the proposal, as specified by the board, must be accompanied with the required application fee. The proposal must be prepared following the reporting format and include each component as indicated in paragraph (4)(A)4. of this rule. Board approval of the proposal with or without contingencies must be obtained no later than six (6) months prior to the anticipated opening date;

4. A proposal submitted shall contain the following information:

A. Statement of need and feasibility study, which includes:

(I) Documentation of the need for the nursing program including community and economic development need, rationale for why the program should be established, and documentation of employers’ need for graduates of the proposed program;

(II) Number of professional nursing and practical nursing programs in the area and potential impact on those nursing programs;

(III) Number and source of anticipated student population;

(IV) Letters of support for the proposed nursing program; and

(V) Source of potential qualified faculty;

B. Curriculum.

(I) Philosophy and/or mission.

(II) Graduate competencies.

(III) Curriculum sequence.

(IV) Course descriptions and objectives with number of credit hours for all courses.

(V) Systematic evaluation plan;

C. Students.

(I) Maximum number of students per class.

(II) Number of classes admitted per year.

- (III) Number of students anticipated in initial class.
- (IV) Plan for increase to maximum enrollment, if applicable.
- (V) Admission criteria.
- (VI) Plans for progression and retention of students.
- (VII) Formal complaint procedure.
- (VIII) Availability of student services and personnel;
- D. Faculty.
  - (I) Number of full-time and part-time faculty.
  - (II) Position descriptions;
- E. Support services personnel.
  - (I) Number of full-time and part-time ancillary support services personnel.
  - (II) Position descriptions;
- F. Sponsoring institution.
  - (I) Evidence of authorization to conduct the program of professional nursing by the governing body of the sponsoring institution.
  - (II) Evidence of accreditation by an agency recognized by the United States Department of Education.
  - (III) Provision of administrative structure/organizational charts of the sponsoring institution and the nursing program.
  - (IV) Evidence of financial stability and resources of the sponsoring institution and the program of nursing; and
- G. Facilities.
  - (I) Description of educational facilities to be used by the professional nursing program such as classrooms, library, offices, clinical skills laboratory, and other facilities.
  - (II) Description of planned or available learning resources to include such items as equipment, supplies, library services, computers, and technology.
  - (III) Description of proposed clinical sites that will provide appropriate educational experience.
  - (IV) A letter of intent from each proposed cooperating agency stating its ability to provide the appropriate educational experiences;
- 5. Site survey. Representatives from the board shall make an on-site survey to verify implementation of the proposal and compliance with 20 CSR 2200-2.050 through 20 CSR 2200-2.130; and
- 6. The board's decision to grant initial approval is contingent upon evidence from the site survey that the program is being implemented in compliance with 20 CSR 2200-2.050 through 20 CSR 2200-2.130.
- (B) Throughout the period of initial approval, the program shall submit an annual survey.
- (C) Upon graduation of the program's first class and receipt of results of the National Council Licensure Examination for Registered Nurses (NCLEX-RN®), the board will review the following:
  - 1. The program's compliance with minimum standards during initial approval including the program's adherence to the approved proposal and changes authorized by the board;
  - 2. Report of an on-site survey (if conducted);
  - 3. Report of National Council Licensure Examination for Registered Nurses results (see 20 CSR 2200-2.180(1));
  - 4. Identification and analysis of class graduation rate; and
  - 5. Submission of program's ongoing evaluation plan with available data.
- (D) After its review, the board shall decide to continue initial approval for a period of not more than one (1) year, deny approval or grant full approval.
- (5) Full Approval Status.
  - (B) On-Site Surveys. On-site surveys shall be made on a scheduled basis, at the direction of the board, or upon request of the nursing program. Each nursing program shall be surveyed typically at five (5)-year intervals. If the program is accredited by a national nursing accreditation agency, the nursing program may request that the on-site survey be scheduled in coordination with a national nursing accreditation agency visit.

**Title 20—DEPARTMENT OF INSURANCE,  
FINANCIAL INSTITUTIONS AND PROFESSIONAL  
REGISTRATION**  
**Division 2200—State Board of Nursing**  
**Chapter 2—Minimum Standards for Approved Programs  
of Professional Nursing**

**ORDER OF RULEMAKING**

By the authority vested in the State Board of Nursing under sections 335.036 and 335.071, RSMo 2000, the board rescinds a rule as follows:

**20 CSR 2200-2.020 Discontinuing and Reopening Programs  
is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on June 1, 2007 (32 MoReg 853). No changes have been made to the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 20—DEPARTMENT OF INSURANCE,  
FINANCIAL INSTITUTIONS AND PROFESSIONAL  
REGISTRATION**  
**Division 2200—State Board of Nursing**  
**Chapter 2—Minimum Standards for Approved Programs  
of Professional Nursing**

**ORDER OF RULEMAKING**

By the authority vested in the State Board of Nursing under sections 335.036 and 335.071, RSMo 2000, the board adopts a rule as follows:

**20 CSR 2200-2.020 Discontinuing and Reopening Programs  
is adopted.**

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on June 1, 2007 (32 MoReg 853). No changes have been made to the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 20—DEPARTMENT OF INSURANCE,  
FINANCIAL INSTITUTIONS AND PROFESSIONAL  
REGISTRATION**  
**Division 2200—State Board of Nursing**  
**Chapter 2—Minimum Standards for Approved Programs  
of Professional Nursing**

**ORDER OF RULEMAKING**

By the authority vested in the State Board of Nursing under sections 335.036 and 335.071, RSMo 2000, the board rescinds a rule as follows:

**20 CSR 2200-2.030 Change of Sponsorship is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on June 1, 2007 (32 MoReg

853–854). No changes have been made to the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 20—DEPARTMENT OF INSURANCE,  
FINANCIAL INSTITUTIONS AND PROFESSIONAL  
REGISTRATION**  
**Division 2200—State Board of Nursing**  
**Chapter 2—Minimum Standards for Approved Programs  
of Professional Nursing**

**ORDER OF RULEMAKING**

By the authority vested in the State Board of Nursing under sections 335.036 and 335.071, RSMo 2000, the board adopts a rule as follows:

**20 CSR 2200-2.030 Change of Sponsorship is adopted.**

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on June 1, 2007 (32 MoReg 854). No changes have been made to the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 20—DEPARTMENT OF INSURANCE,  
FINANCIAL INSTITUTIONS AND PROFESSIONAL  
REGISTRATION**  
**Division 2200—State Board of Nursing**  
**Chapter 2—Minimum Standards for Approved Programs  
of Professional Nursing**

**ORDER OF RULEMAKING**

By the authority vested in the State Board of Nursing under sections 335.036(2), (3), (4), (5), and (6) and 335.071, RSMo 2000, the board rescinds a rule as follows:

**20 CSR 2200-2.035 Multiple Campuses is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on June 1, 2007 (32 MoReg 854). No changes have been made to the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 20—DEPARTMENT OF INSURANCE,  
FINANCIAL INSTITUTIONS AND PROFESSIONAL  
REGISTRATION**  
**Division 2200—State Board of Nursing**  
**Chapter 2—Minimum Standards for Approved Programs  
of Professional Nursing**

**ORDER OF RULEMAKING**

By the authority vested in the State Board of Nursing under sections 335.036(2), (3), (4), (5), and (6), and 335.071, RSMo 2000, the board adopts a rule as follows:

20 CSR 2200-2.035 is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on June 1, 2007 (32 MoReg 854–855). Those sections with changes are reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The Missouri State Board of Nursing made one (1) change to the text of the rule based on their review.

COMMENT: During review of the proposed rule, the board voted to delete “five (5)-year survey,” in section (2) as the board can no longer conduct five (5)-year paper surveys, but must complete on-site surveys.

RESPONSE AND EXPLANATION OF CHANGE: The board amended section (2).

**20 CSR 2200-2.035 Multiple Campuses**

(2) Each campus is required to submit a separate annual survey, annual registration and annual registration fee.

**Title 20—DEPARTMENT OF INSURANCE,  
FINANCIAL INSTITUTIONS AND PROFESSIONAL  
REGISTRATION**

**Division 2200—State Board of Nursing**  
**Chapter 2—Minimum Standards for Approved Programs  
of Professional Nursing**

**ORDER OF RULEMAKING**

By the authority vested in the State Board of Nursing under section 335.036, RSMo 2000, the board rescinds a rule as follows:

**20 CSR 2200-2.040 Program Changes Requiring Board Approval,  
Notification Or Both is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on June 1, 2007 (32 MoReg 855). No changes have been made to the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 20—DEPARTMENT OF INSURANCE,  
FINANCIAL INSTITUTIONS AND PROFESSIONAL  
REGISTRATION**

**Division 2200—State Board of Nursing**  
**Chapter 2—Minimum Standards for Approved Programs  
of Professional Nursing**

**ORDER OF RULEMAKING**

By the authority vested in the State Board of Nursing under section 335.036, RSMo 2000, the board adopts a rule as follows:

20 CSR 2200-2.040 is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on June 1, 2007 (32 MoReg 855–858). Those sections with changes are reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

**SUMMARY OF COMMENTS:** The Missouri State Board of Nursing received one (1) public comment and made one (1) change to the text of the rule based on their review.

**COMMENT #1:** During review of the proposed rule, the board noted that subsection (1)(A) should be changed from "Curriculum" to "Substantial Revision of Curriculum."

**RESPONSE AND EXPLANATION OF CHANGE:** The board amended subsection (1)(A).

**COMMENT #2:** Nancy DeBasio, Research College of Nursing stated that the term "mission and philosophy" may be used together or separately by nursing programs.

**RESPONSE AND EXPLANATION OF CHANGE:** The board concurred and changed "philosophy/mission" to "philosophy and/or mission" in subsection (2)(B) of this rule.

#### **20 CSR 2200-2.040 Program Changes Requiring Board Approval, Notification, or Both**

(1) Board approval is required for changes of the following:

(A) Substantial revision of curriculum;

(2) The request for board approval of program changes shall include:

(B) Rationale for proposed changes including consistency with the program's philosophy and/or mission and graduate competencies;

#### **Title 20—DEPARTMENT OF INSURANCE, FINANCIAL INSTITUTIONS AND PROFESSIONAL REGISTRATION**

**Division 2200—State Board of Nursing**

**Chapter 2—Minimum Standards for Approved Programs  
of Professional Nursing**

#### **ORDER OF RULEMAKING**

By the authority vested in the State Board of Nursing under sections 335.036 and 335.071, RSMo 2000, the board rescinds a rule as follows:

#### **20 CSR 2200-2.050 Organization and Administration of an Approved Program of Professional Nursing is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on June 1, 2007 (32 MoReg 859). No changes have been made to the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

**SUMMARY OF COMMENTS:** No comments were received.

#### **Title 20—DEPARTMENT OF INSURANCE, FINANCIAL INSTITUTIONS AND PROFESSIONAL REGISTRATION**

**Division 2200—State Board of Nursing**

**Chapter 2—Minimum Standards for Approved Programs  
of Professional Nursing**

#### **ORDER OF RULEMAKING**

By the authority vested in the State Board of Nursing under sections 335.036 and 335.071, RSMo 2000, the board adopts a rule as follows:

20 CSR 2200-2.050 is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on June 1, 2007 (32 MoReg 859-860). Those sections with changes are reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

**SUMMARY OF COMMENTS:** The board received one (1) comment.

**COMMENT:** Nancy DeBasio, Research College of Nursing stated that the term "mission and philosophy" may be used together or separately by nursing programs.

**RESPONSE AND EXPLANATION OF CHANGE:** The board concurred and changed "philosophy/mission" to "philosophy and/or mission" in sections (1)-(3) of this rule.

#### **20 CSR 2200-2.050 Organization and Administration of an Approved Program of Professional Nursing**

(1) Philosophy and/or mission of the program shall be in writing and shall be consistent with the philosophy and/or mission statement of the sponsoring institution.

(2) Graduate competencies shall be derived from the program's philosophy and/or mission.

(3) The philosophy and/or mission and the graduate competencies shall be the basis on which the curriculum is developed.

#### **Title 20—DEPARTMENT OF INSURANCE, FINANCIAL INSTITUTIONS AND PROFESSIONAL REGISTRATION**

**Division 2200—State Board of Nursing**

**Chapter 2—Minimum Standards for Approved Programs  
of Professional Nursing**

#### **ORDER OF RULEMAKING**

By the authority vested in the State Board of Nursing under section 335.036, RSMo 2000, the board rescinds a rule as follows:

#### **20 CSR 2200-2.060 Administrator/Faculty is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on June 1, 2007 (32 MoReg 861). No changes have been made to the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

**SUMMARY OF COMMENTS:** No comments were received.

#### **Title 20—DEPARTMENT OF INSURANCE, FINANCIAL INSTITUTIONS AND PROFESSIONAL REGISTRATION**

**Division 2200—State Board of Nursing**

**Chapter 2—Minimum Standards for Approved Programs  
of Professional Nursing**

#### **ORDER OF RULEMAKING**

By the authority vested in the State Board of Nursing under section 335.036, RSMo 2000, the board adopts a rule as follows:

20 CSR 2200-2.060 is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on June 1, 2007 (32 MoReg 861-863). Those sections with changes are reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

**SUMMARY OF COMMENTS:** The Missouri State Board of Nursing received one (1) public comment and made one (1) change to the text of the rule based on their review.

**COMMENT #1:** During review of the proposed rule, the board voted that “a doctoral degree is recommended” be added after the sentence ending “with a graduate degree in nursing.”

**RESPONSE AND EXPLANATION OF CHANGE:** The board amended subparagraph (2)(B)2.B.

**COMMENT #2:** Nancy DeBasio, Research College of Nursing stated that the term “mission and philosophy” may be used together or separately by nursing programs.

**RESPONSE AND EXPLANATION OF CHANGE:** The board concurred and changed “philosophy/mission” to “philosophy and/or mission” in subsection (3)(B) of this rule.

## **20 CSR 2200-2.060 Administrator/Faculty**

(2) Nursing Faculty.

(B) Criteria for Appointment:

1. Current undisciplined license to practice professional nursing in Missouri;

2. Educational requirements:

A. Nursing faculty teaching in associate degree or diploma programs shall have a minimum of a baccalaureate degree in nursing with a clinical component. A graduate degree in nursing is recommended; and

B. Nursing faculty teaching in baccalaureate programs shall have a minimum of a graduate degree. Seventy-five percent (75%) of faculty shall have a graduate degree with major in nursing. A doctoral degree is recommended. Faculty without a nursing major in their graduate degree shall have a bachelor’s degree in nursing with a clinical component;

3. Academically and experientially qualified and maintain expertise in areas of responsibility; and

4. Approved by the board prior to appointment.

(3) Responsibilities. The administrator and faculty of the program shall be responsible for, but not limited to:

(B) Ongoing systematic development, implementation and evaluation of the total program in relation to stated philosophy and/or mission and graduate competencies of the program;

## **Title 20—DEPARTMENT OF INSURANCE, FINANCIAL INSTITUTIONS AND PROFESSIONAL REGISTRATION**

### **Division 2200—State Board of Nursing**

#### **Chapter 2—Minimum Standards for Approved Programs of Professional Nursing**

#### **ORDER OF RULEMAKING**

By the authority vested in the State Board of Nursing under section 335.036, RSMo 2000, the board rescinds a rule as follows:

#### **20 CSR 2200-2.070 Physical Facilities**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on June 1, 2007 (32 MoReg 864). No changes have been made to the proposed rescission, so it is

not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

**SUMMARY OF COMMENTS:** No comments were received.

## **Title 20—DEPARTMENT OF INSURANCE, FINANCIAL INSTITUTIONS AND PROFESSIONAL REGISTRATION**

### **Division 2200—State Board of Nursing**

#### **Chapter 2—Minimum Standards for Approved Programs of Professional Nursing**

#### **ORDER OF RULEMAKING**

By the authority vested in the State Board of Nursing under section 335.036, RSMo 2000, the board adopts a rule as follows:

**20 CSR 2200-2.070** is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on June 1, 2007 (32 MoReg 864-865). Those sections with changes are reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

**SUMMARY OF COMMENTS:** The Missouri State Board of Nursing received two (2) public comments and made one (1) change to the text of the rule based on their review.

**COMMENT #1:** A comment was received from Nancy Debasio, Research College of Nursing requesting clarification of whether it is necessary to state that students shall have access to a quiet area designated for study in light of the fact that most access resources online. **RESPONSE AND EXPLANATION OF CHANGE:** The board believes it is important to have a quiet area designated for study, but it does not have to be connected to the library. Therefore, paragraph (2)(A)1. is being deleted and the language is being added as section (3).

**COMMENT #2:** A comment was received from Nancy Debasio, Research College of Nursing stating that budget refers to printed and multi-media materials. Ms. Debasio sought the board’s opinion if multi-media referred to the budget for online journals.

**RESPONSE AND EXPLANATION OF CHANGE:** The board clarified multi-media does also refer to online journals. To clarify, the board has changed the wording in paragraph (2)(B)1. from “printed and multi-media material” to “appropriate resources.”

**COMMENT #3:** During review of the proposed rule, the board found the need to change paragraph (6)(B)3. to clarify that the policies and procedures for using the technology/computers need not be in writing.

**RESPONSE AND EXPLANATION OF CHANGE:** The board amended (6)(B)3.

#### **20 CSR 2200-2.070 Physical Facilities**

(2) Library.

(A) Each program and each campus of each program shall have access to library resources with current and available resources to meet the educational needs of the students and the instructional and scholarly activities of the faculty.

(B) Management of library resources shall include:

1. Budget for acquisition of appropriate resources;
2. System for identifying or deleting outdated resources; and
3. Policies and procedures governing the administration and the use of the library resources shall be in writing and available to students and faculty.

(3) Quiet area designated for study.

(4) Classrooms.

(A) Classrooms shall be of size, number and type for the number of students and teaching methodology.

(B) Classrooms shall have climate control, ventilation, lighting, seating, furnishings, and equipment conducive to learning.

(C) Storage space shall be available for equipment and supplies.

(5) Clinical Skills Laboratory.

(A) Each program and each campus of each program shall have a clinical skills laboratory sufficient to meet learning outcomes.

(B) Management of clinical skills laboratory shall include:

1. Budget allocation for equipment and supplies;
2. Plan for acquisition and maintenance of equipment and supplies; and

3. Policies and procedures governing the administration and the use of the clinical skills laboratory. These policies and procedures shall be in writing and available to students and faculty.

(6) Technology Resources/Computers.

(A) Each program and each campus of each program shall have access to current and available resources to meet the educational needs of the students and the instructional and scholarly activities of the faculty.

(B) Management of technology resources shall include:

1. Budget for acquisition of current technology, including computers;
2. System for identifying, deleting and/or replacing resources; and

3. Policies and procedures governing the administration and the use of the technology/computers. These policies and procedures shall be made available to students and faculty.

**20 CSR 2200-2.080** is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on June 1, 2007 (32 MoReg 866). Those sections with changes are reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

**SUMMARY OF COMMENTS:** The Missouri State Board of Nursing received one (1) public comment and made one (1) change to the text of the rule based on their review. Due to a similarity of the following two (2) comments, one (1) response that addresses both comments can be found at the end of these two (2) comments.

**COMMENT #1:** During review of the proposed rule the board recognized it would need to allow a certain percentage of clinical time to be dedicated to clinical simulation.

**COMMENT #2:** Mari Beth Linder, Ph.D., R.N., B.C., Associate Professor and Department Head, Department of Nursing, Missouri Southern State University stated that if the National Council of State Boards of Nursing (NCSBN) has a position statement that simulation hours should not be counted as direct clinical, that this fact should be referenced under section (2).

**RESPONSE AND EXPLANATION OF CHANGE:** Most agree that there is not sufficient evidence to determine the effectiveness of clinical simulation, however, the board's intent is that the minimum standards are outcome-based and programs should be able to structure their programs based on evidence. To support the evolution of education, the board added section (3) to clarify that clinical simulation and clinical skills lab time is at the discretion of the nursing program.

**20 CSR 2200-2.080 Clinical Sites**

(3) Clinical simulation and clinical skills lab time is at the discretion of the nursing program.

**Title 20—DEPARTMENT OF INSURANCE,  
FINANCIAL INSTITUTIONS AND PROFESSIONAL  
REGISTRATION**

**Division 2200—State Board of Nursing  
Chapter 2—Minimum Standards for Approved Programs  
of Professional Nursing**

**ORDER OF RULEMAKING**

By the authority vested in the State Board of Nursing under section 335.036, RSMo 2000, the board rescinds a rule as follows:

**20 CSR 2200-2.080 Clinical Sites is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on June 1, 2007 (32 MoReg 866). No changes have been made to the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

**SUMMARY OF COMMENTS:** No comments were received.

**Title 20—DEPARTMENT OF INSURANCE,  
FINANCIAL INSTITUTIONS AND PROFESSIONAL  
REGISTRATION**

**Division 2200—State Board of Nursing  
Chapter 2—Minimum Standards for Approved Programs  
of Professional Nursing**

**ORDER OF RULEMAKING**

By the authority vested in the State Board of Nursing under section 335.036, RSMo 2000, the board adopts a rule as follows:

**ORDER OF RULEMAKING**

By the authority vested in the State Board of Nursing under section 335.036, RSMo 2000, the board rescinds a rule as follows:

**20 CSR 2200-2.085 Preceptors is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on June 1, 2007 (32 MoReg 866). No changes have been made to the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

**SUMMARY OF COMMENTS:** No comments were received.

**Title 20—DEPARTMENT OF INSURANCE,  
FINANCIAL INSTITUTIONS AND PROFESSIONAL  
REGISTRATION**

**Division 2200—State Board of Nursing  
Chapter 2—Minimum Standards for Approved Programs  
of Professional Nursing**

**ORDER OF RULEMAKING**

By the authority vested in the State Board of Nursing under section 335.036, RSMo 2000, the board adopts a rule as follows:

**20 CSR 2200-2.085** is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on June 1, 2007 (32 MoReg 867). Those sections with changes are reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

**SUMMARY OF COMMENTS:** The Missouri State Board of Nursing made one (1) change to the text of the rule based on their review.

**COMMENT:** Stemming from a discussion with a school at the Midwest Leadership Institute, the board reviewed the rule and determined that changes are needed to clarify the text of rule. The school indicated that the clinical site director selects the preceptor and the preceptor may change daily. The clinical faculty does not regularly visit the clinical site. The school was relying on written materials and evaluations that the preceptor completes. They suggested that a sentence be added that requires the faculty of the nursing program meet with the preceptor and the student on a regular basis.

**RESPONSE AND EXPLANATION OF CHANGE:** The board amended section (3).

**20 CSR 2200-2.085 Preceptors**

(3) Responsibilities of the nursing program faculty in regards to utilization of preceptors shall include:

(D) Assume responsibility for each student's final evaluation and the assigning of a performance rating or grade;

(E) Faculty shall be readily available to students and clinical preceptors during clinical learning experiences; and

(F) The designated faculty member shall meet periodically with the clinical preceptors and student(s) for the purpose of monitoring and evaluating learning experiences.

**Title 20—DEPARTMENT OF INSURANCE,  
FINANCIAL INSTITUTIONS AND PROFESSIONAL  
REGISTRATION**  
**Division 2200—State Board of Nursing**  
**Chapter 2—Minimum Standards for Approved Programs  
of Professional Nursing**

**ORDER OF RULEMAKING**

By the authority vested in the State Board of Nursing under section 335.036, RSMo 2000, the board rescinds a rule as follows:

**20 CSR 2200-2.090 Students is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on June 1, 2007 (32 MoReg 867). No changes have been made to the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

**SUMMARY OF COMMENTS:** No comments were received.

**Title 20—DEPARTMENT OF INSURANCE,  
FINANCIAL INSTITUTIONS AND PROFESSIONAL  
REGISTRATION**  
**Division 2200—State Board of Nursing**  
**Chapter 2—Minimum Standards for Approved Programs  
of Professional Nursing**

**ORDER OF RULEMAKING**

By the authority vested in the State Board of Nursing under section 335.036, RSMo 2000, the board adopts a rule as follows:

**20 CSR 2200-2.090 Students is adopted.**

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on June 1, 2007 (32 MoReg 867-868). No changes have been made to the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

**SUMMARY OF COMMENTS:** The Missouri State Board of Nursing discussed one (1) suggestion for change to the text of the rule based on their review.

**COMMENT:** After reviewing the proposed rule, a board member suggested that subsection (1)(D) be further clarified as to whether "members of the class to which they are admitted" means "admit" as in the original class or the readmitted class.

**RESPONSE:** The intent is the readmitted class, but this should be at the discretion of the nursing program so no change has been made.

**Title 20—DEPARTMENT OF INSURANCE,  
FINANCIAL INSTITUTIONS AND PROFESSIONAL  
REGISTRATION**

**Division 2200—State Board of Nursing**  
**Chapter 2—Minimum Standards for Approved Programs  
of Professional Nursing**

**ORDER OF RULEMAKING**

By the authority vested in the State Board of Nursing under section 335.036, RSMo 2000, the board rescinds a rule as follows:

**20 CSR 2200-2.100 Educational Program is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on June 1, 2007 (32 MoReg 868). No changes have been made to the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

**SUMMARY OF COMMENTS:** No comments were received.

**Title 20—DEPARTMENT OF INSURANCE,  
FINANCIAL INSTITUTIONS AND PROFESSIONAL  
REGISTRATION**

**Division 2200—State Board of Nursing**  
**Chapter 2—Minimum Standards for Approved Programs  
of Professional Nursing**

**ORDER OF RULEMAKING**

By the authority vested in the State Board of Nursing under section 335.036 RSMo 2000, the board adopts a rule as follows:

**20 CSR 2200-2.100 is adopted.**

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on June 1, 2007 (32 MoReg 868-869). Those sections with changes are reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

**SUMMARY OF COMMENTS:** The Missouri State Board of Nursing received one (1) public comment and made three (3) changes to the text of the rule based on their review.

**COMMENT #1:** Nancy DeBasio, Research College of Nursing, stated that the term "mission and philosophy" may be used together or separately by nursing programs.

**RESPONSE AND EXPLANATION OF CHANGE:** The board concurred and changed "philosophy/mission" to "philosophy and/or mission" in sections (1) and (2) of this rule.

**COMMENT #2:** After reviewing the proposed rule, a board member suggested adding, "quality and safety education; informatics and information management; professionalism; evidence based practice; patient centered care; interprofessional collaboration; and quality improvement to the curriculum requirements."

**RESPONSE AND EXPLANATION OF CHANGE:** The board does not want a laundry list, but agreed to add evidence-based practice and patient-centered care as subsection (3)(C)6. and 7.

**COMMENT #3:** After reviewing the proposed rule, the board discovered the need to add "Course Policies" to the requirements for the Syllabi.

**RESPONSE AND EXPLANATION OF CHANGE:** The board agreed to add course policies as subsection (4)(D).

**COMMENT #4:** After reviewing the proposed rule, the board discovered the need to add "with faculty oversight" to subsection (5)(D).

**RESPONSE AND EXPLANATION OF CHANGE:** The board agreed to add "with faculty oversight" at the end of the sentence under subsection (5)(D).

## **20 CSR 2200-2.100 Educational Program**

(1) General Purpose.

(A) The program shall have a philosophy and/or mission which guides the curriculum practices.

(B) Graduate competencies shall be derived from the philosophy and/or mission of the program.

(C) The educational program shall provide planned learning experiences essential to the achievement of the stated philosophy and/or mission and graduate competencies and shall demonstrate logical progression.

(2) Curriculum Organization and Development.

(B) There shall be a written curriculum plan which reflects the program's philosophy and/or mission and objectives and shall be logically consistent between and within courses.

(3) Curriculum Requirements. There shall be a general written plan for the total curriculum which will show the courses taught, sequence, correlation and integration of classroom and clinical instruction. Content may be developed as a separate course or integrated. Integrated concepts shall be evident in the course objectives. Instruction will be provided in the following areas:

(C) Nursing courses shall include content reflecting concepts across the life span in—

1. Growth and development;
2. Prevention of illness;
3. Promotion, maintenance, and restoration of health;
4. Communications;
5. Legal and ethical aspects of nursing;
6. Evidence-based practice; and
7. Patient-centered care.

(4) Syllabi shall be current and available to all faculty and students and include:

- (B) The teaching/learning strategies to be used;
- (C) Evaluation methodologies; and
- (D) Course policies.

(5) Distance Education. Courses/programs of study that utilize distance education shall have—

(D) Clinical courses must be faculty directed and include direct patient care activities with faculty oversight;

## **Title 20—DEPARTMENT OF INSURANCE, FINANCIAL INSTITUTIONS AND PROFESSIONAL REGISTRATION**

### **Division 2200—State Board of Nursing**

#### **Chapter 2—Minimum Standards for Approved Programs of Professional Nursing**

## **ORDER OF RULEMAKING**

By the authority vested in the State Board of Nursing under sections 335.036 and 335.071, RSMo 2000, the board rescinds a rule as follows:

### **20 CSR 2200-2.110 Records is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on June 1, 2007 (32 MoReg 869). No changes have been made to the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

**SUMMARY OF COMMENTS:** No comments were received.

## **Title 20—DEPARTMENT OF INSURANCE, FINANCIAL INSTITUTIONS AND PROFESSIONAL REGISTRATION**

### **Division 2200—State Board of Nursing**

#### **Chapter 2—Minimum Standards for Approved Programs of Professional Nursing**

## **ORDER OF RULEMAKING**

By the authority vested in the State Board of Nursing under sections 335.036 and 335.071, RSMo 2000, the board adopts a rule as follows:

### **20 CSR 2200-2.110 is adopted.**

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on June 1, 2007 (32 MoReg 869-871). Those sections with changes are reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

**SUMMARY OF COMMENTS:** The Missouri State Board of Nursing made one (1) change to the text of the rule based on their review.

**COMMENT:** After reviewing the proposed rule, the board is changing "and" to "or" in subsection (2)(A) to clarify the meaning of the rule.

**RESPONSE AND EXPLANATION OF CHANGE:** The board changed "and" to "or" in subsection (2)(A).

## **20 CSR 2200-2.110 Records**

(2) School Records.

(A) Student records shall be stored in an area which is theft resistant and where confidentiality can be ensured or according to sponsoring institution policies for secure storage of records.

**Title 20—DEPARTMENT OF INSURANCE,  
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REGISTRATION**  
**Division 2200—State Board of Nursing**  
**Chapter 2—Minimum Standards for Approved Programs  
of Professional Nursing**

**ORDER OF RULEMAKING**

By the authority vested in the State Board of Nursing under sections 335.036 and 335.071, RSMo 2000, the board rescinds a rule as follows:

**20 CSR 2200-2.120 Publications is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on June 1, 2007 (32 MoReg 872). No changes have been made to the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 20—DEPARTMENT OF INSURANCE,  
FINANCIAL INSTITUTIONS AND PROFESSIONAL  
REGISTRATION**  
**Division 2200—State Board of Nursing**  
**Chapter 2—Minimum Standards for Approved Programs  
of Professional Nursing**

**ORDER OF RULEMAKING**

By the authority vested in the State Board of Nursing under sections 335.036 and 335.071, RSMo 2000, the board adopts a rule as follows:

**20 CSR 2200-2.120 is adopted.**

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on June 1, 2007 (32 MoReg 872). Those sections with changes are reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: One (1) public comment was received by the board.

COMMENT: Nancy DeBasio, Research College of Nursing stated that the term “mission and philosophy” may be used together or separately by nursing programs.

RESPONSE AND EXPLANATION OF CHANGE: The board concurred and changed “philosophy/mission” to “philosophy and/or mission” in subsection (4)(A) of this rule.

**20 CSR 2200-2.120 Publications**

(4) The following information shall be available to the student upon entry:

(A) Philosophy and/or mission;

**Title 20—DEPARTMENT OF INSURANCE,  
FINANCIAL INSTITUTIONS AND PROFESSIONAL  
REGISTRATION**  
**Division 2200—State Board of Nursing**  
**Chapter 2—Minimum Standards for Approved Programs  
of Professional Nursing**

**ORDER OF RULEMAKING**

By the authority vested in the State Board of Nursing under section 335.036, RSMo 2000, the board rescinds a rule as follows:

**20 CSR 2200-2.130 Evaluations is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on June 1, 2007 (32 MoReg 872-873). No changes have been made to the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 20—DEPARTMENT OF INSURANCE,  
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REGISTRATION**  
**Division 2200—State Board of Nursing**  
**Chapter 2—Minimum Standards for Approved Programs  
of Professional Nursing**

**ORDER OF RULEMAKING**

By the authority vested in the State Board of Nursing under section 335.036, RSMo 2000, the board adopts a rule as follows:

**20 CSR 2200-2.130 Program Evaluation is adopted.**

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on June 1, 2007 (32 MoReg 873). No changes have been made to the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 20—DEPARTMENT OF INSURANCE,  
FINANCIAL INSTITUTIONS AND PROFESSIONAL  
REGISTRATION**  
**Division 2200—State Board of Nursing**  
**Chapter 2—Minimum Standards for Approved Programs  
of Professional Nursing**

**ORDER OF RULEMAKING**

By the authority vested in the State Board of Nursing under sections 335.036(2), (3), (4), (5) and (6) and 335.071, RSMo 2000, the board rescinds a rule as follows:

**20 CSR 2200-2.180 Licensure Examination Performance  
is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on June 1, 2007 (32 MoReg 873). No changes have been made to the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

**SUMMARY OF COMMENTS:** No comments were received.

**Title 20—DEPARTMENT OF INSURANCE,  
FINANCIAL INSTITUTIONS AND PROFESSIONAL  
REGISTRATION**  
**Division 2200—State Board of Nursing**  
**Chapter 2—Minimum Standards for Approved Programs  
of Professional Nursing**

**ORDER OF RULEMAKING**

By the authority vested in the State Board of Nursing under sections 335.036(2), (3), (4), (5) and (6) and 335.071, RSMo 2000, the board adopts a rule as follows:

20 CSR 2200-2.180 is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on June 1, 2007 (32 MoReg 873-876). Those sections with changes are reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

**SUMMARY OF COMMENTS:** The Missouri State Board of Nursing made one (1) change to the text of the rule based on their review.

**COMMENT #1:** After reviewing the proposed rule, the board questioned the need to change the wording in subsection (3)(B) from "may be placed on conditional approval status" to "will be placed on conditional approval status."

**RESPONSE:** After considering the proposed change, it was the board's intent to leave this discretionary; therefore, no changes were made to the wording of the rule.

**COMMENT #2:** After reviewing the proposed rule, the board discovered the need to add "graduate satisfaction" to the requirement for program effectiveness listed under subsection (3)(B).

**RESPONSE AND EXPLANATION OF CHANGE:** The board agreed to add "graduate satisfaction" as paragraph (3)(B)4.

**20 CSR 2200-2.180 Licensure Examination Performance**

(3) The nursing program with a pass rate lower than eighty percent (80%) will:

(B) Second consecutive year—The program may be placed on conditional approval status. The program administrator will be required to appear before and present to the board an analysis of program effectiveness, problems identified, and plans of correction. Program effectiveness may include evidence of:

1. Class graduation rates;
2. National Council Licensure Examination for Registered Nurses (NCLEX-RN®) pass rates;
3. Student satisfaction;
4. Graduate satisfaction;
5. Job placement rates; and
6. Employer satisfaction.

**Title 20—DEPARTMENT OF INSURANCE,  
FINANCIAL INSTITUTIONS AND PROFESSIONAL  
REGISTRATION**  
**Division 2200—State Board of Nursing**  
**Chapter 3—Practical Nursing**

**ORDER OF RULEMAKING**

By the authority vested in the State Board of Nursing under sections 335.036 and 335.071, RSMo 2000, the board rescinds a rule as follows:

**20 CSR 2200-3.001 Definitions is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on June 1, 2007 (32 MoReg 877). No changes have been made to the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

**SUMMARY OF COMMENTS:** No comments were received.

**Title 20—DEPARTMENT OF INSURANCE,  
FINANCIAL INSTITUTIONS AND PROFESSIONAL  
REGISTRATION**  
**Division 2200—State Board of Nursing**  
**Chapter 3—Minimum Standards for Approved Programs  
of Practical Nursing**

**ORDER OF RULEMAKING**

By the authority vested in the State Board of Nursing under sections 335.036 and 335.071, RSMo 2000, the board adopts a rule as follows:

20 CSR 2200-3.001 is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on June 1, 2007 (32 MoReg 877-878). Those sections with changes are reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

**SUMMARY OF COMMENTS:** The Missouri State Board of Nursing received one (1) public comment and made one (1) change to the text of the rule based on their review.

**COMMENT #1:** The board reviewed the rule and determined that a definition was needed for "clinical simulation."

**RESPONSE AND EXPLANATION OF CHANGE:** The board added a definition for "clinical simulation" in section (1) of the rule and renumbered the remaining subsections of the rule accordingly.

**COMMENT #2:** Nancy DeBasio, Research College of Nursing stated that the term "mission and philosophy" may be used together or separately by nursing programs.

**RESPONSE AND EXPLANATION OF CHANGE:** The board concurred and changed "philosophy/mission" to "philosophy and/or mission" in subsection (1)(T) of this rule.

**20 CSR 2200-3.001 Definitions**

(1) When used in 20 CSR 2200-3, the following terms mean:

(J) Clinical simulation—An educational experience utilizing simulation experience to create realistic scenarios where students engage in nursing practice under the direction of nursing faculty;

(K) Clinical skills laboratory—Designated area where skills and procedures can be demonstrated and practiced;

(L) Conditional approval—Status of a program that has failed to meet or maintain the regulations or requirements, or both, set by the board. This status is subject to the program conforming to the requirements and recommendations and within a time period set by the board;

(M) Cooperating agency—A corporation, hospital or other organization which has a written agreement with the program to provide clinical education opportunities;

(N) Coordinator—Registered professional nurse with authority and responsibility for a campus nursing program as delegated by the administrator of the nursing program;

(O) Course objectives—Measurable statements that guide experiences and activities that help learners meet established requirements for a specific course;

(P) Curriculum—Planned studies and learning activities designed to lead students to graduation and eligibility for application for licensure;

(Q) Direct care—A clinical experience in which patient care is given by the student under the direction of the faculty member or preceptor;

(R) Distance learning—Curriculum provided from a main campus location to another geographic location primarily through electronic or other technological methods;

(S) Endorsement—Process of acquiring licensure as a nurse based on original licensure by examination in another state, territory or country;

(T) Faculty—Individuals designated by sponsoring institution with responsibilities for development, implementation and evaluation of philosophy and/or mission, objectives and curriculum of nursing program;

(U) Full-time—Those individuals deemed by sponsoring institution to meet definition for full-time employment;

(V) Generic—Initial educational program in nursing leading to entry-level licensure;

(W) Governing body—Body authorized to establish and monitor policies and assume responsibility for the educational programs;

(X) Graduate competency—Individual graduate behaviors;

(Y) Grievance policy and procedure—An established procedure for processing complaints; may also be known as a complaint procedure, due process, appeals procedure or problem resolution;

(Z) Initial approval—Status granted a program of practical nursing until full approval status is granted or denied;

(AA) Minimum standards—Criteria which nursing programs shall meet in order to be approved by the board;

(BB) Mission—Overall statement of purpose that faculty accept as valid and is directly related to curriculum practices;

(CC) Multiple campuses—Distinct and separate geographic locations offering the same program, providing the same services, and operated by the same sponsoring institution;

(DD) NCLEX-PN® examination—National Council Licensure Examination for Practical Nurses;

(EE) Objectives—Measurable statements describing anticipated outcomes of learning;

(FF) Observational experiences—Planned learning experiences designed to assist students to meet course objectives through observation;

(GG) Part-time—Individuals deemed by the sponsoring institution to meet the definition for part-time employment;

(HH) Philosophy—A composite of the beliefs that the faculty accept as valid and is directly related to curriculum practices;

(II) Pilot program/project—Educational activity which has board approval for a limited time and which otherwise would be out of compliance with minimum standards;

(JJ) Preceptor—Registered professional or licensed practical nurse assigned to assist nursing students in an educational experience which is designed and directed by a faculty member;

(KK) Program—Course of study leading to a diploma or certificate;

(LL) Program outcomes—Measurable statements defining aggregate student achievements;

(MM) Requirement—A mandatory condition that a school or program meets in order to comply with minimum standards;

(NN) Satellite location—A site geographically separate from but administered and served by a primary program campus;

(OO) Sponsoring institution—The institution that is financially and legally responsible for the nursing program;

(PP) Statement of need—Current evidence of need for professional and practical nurses and of community support;

(QQ) Systematic evaluation plan—Written plan developed by fac-

ulty for comprehensive evaluation of all aspects of the program; and

(RR) Written agreement—Formal memorandum of understanding or contract between a nursing education program and a cooperating agency, which designates each party's responsibilities for education of nursing students.

**Title 20—DEPARTMENT OF INSURANCE,  
FINANCIAL INSTITUTIONS AND PROFESSIONAL  
REGISTRATION**

**Division 2200—State Board of Nursing  
Chapter 3—Practical Nursing**

**ORDER OF RULEMAKING**

By the authority vested in the State Board of Nursing under sections 335.036 and 335.071, RSMo 2000, the board rescinds a rule as follows:

**20 CSR 2200-3.010 Approval is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on June 1, 2007 (32 MoReg 878). No changes have been made to the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

**SUMMARY OF COMMENTS:** No comments were received.

**Title 20—DEPARTMENT OF INSURANCE,  
FINANCIAL INSTITUTIONS AND PROFESSIONAL  
REGISTRATION**

**Division 2200—State Board of Nursing  
Chapter 3—Minimum Standards for Approved Programs  
of Practical Nursing**

**ORDER OF RULEMAKING**

By the authority vested in the State Board of Nursing under sections 335.036 and 335.071, RSMo 2000, the board adopts a rule as follows:

**20 CSR 2200-3.010 is adopted.**

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on June 1, 2007 (32 MoReg 878-886). Those sections with changes are reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

**SUMMARY OF COMMENTS:** The Missouri State Board of Nursing received one (1) public comment and made eight (8) changes to the text of the rule based on their review.

**COMMENT #1:** During review of the proposed rule the board voted to electronically notify nursing programs of the letter of intent instead of making it available via its website.

**RESPONSE AND EXPLANATION OF CHANGE:** The board amended paragraph (4)(A)1.

**COMMENT #2:** During review of the proposed rule, the board voted to clarify that the number of copies of the program proposal would be specified by the board.

**RESPONSE AND EXPLANATION OF CHANGE:** The board amended paragraph (4)(A)3.

**COMMENT #3:** Nancy DeBasio, Research College of Nursing stated that the term "mission and philosophy" may be used together or separately by nursing programs.

**RESPONSE AND EXPLANATION OF CHANGE:** The board concurred and changed "philosophy/mission" to "philosophy and/or mission" in part (4)(A)4.B.(I) of this rule.

**COMMENT #4:** During review of the proposed rule the board voted that a systematic evaluation plan be added to the curriculum.

**RESPONSE AND EXPLANATION OF CHANGE:** The board amended part (4)(A)4.B.(V).

**COMMENT #5:** During review of the proposed rule the board voted that "if applicable" needed to be added to part (4)(A)4.C.(IV).

**RESPONSE AND EXPLANATION OF CHANGE:** The board amended part (3)(A)4.C.(IV).

**COMMENT #6:** During review of the proposed rule the board determined that the word "representative" needed to be changed to "representatives."

**RESPONSE AND EXPLANATION OF CHANGE:** The board amended paragraph (4)(A)5.

**COMMENT #7:** During review of the proposed rule the board voted that the phrase "shall be evaluated at least annually" in subsection (4)(B) needed to clarify that the annual evaluation is the annual survey.

**RESPONSE AND EXPLANATION OF CHANGE:** The board amended subsection (4)(B).

**COMMENT #8:** During review of the proposed rule the board voted to allow submission of the program's ongoing evaluation plan and data or a self-study report from the program showing evidence of meeting the minimum standards.

**RESPONSE AND EXPLANATION OF CHANGE:** The board amended paragraph (4)(C)5.

**COMMENT #9:** During review of the proposed rule the board voted to reword subsections (5)(B) since the board can no longer conduct five (5)-year paper surveys, but must complete on-site surveys.

**RESPONSE AND EXPLANATION OF CHANGE:** The board deleted language in subsections (5)(B) and (C) and replaced subsection (5)(B) with the clarified wording.

## **20 CSR 2200-3.010 Approval**

### **(4) Initial Approval Status.**

#### **(A) Process for Obtaining Initial Status:**

1. An institution desiring to establish a program of practical nursing shall submit a letter of intent to the board at least three (3) months prior to the submission of a proposal. The letter of intent must include: the mission statement of the sponsoring institution; type and length of the nursing program proposed; and tentative budget plans including evidence of financial resources adequate for planning, implementing, and continuing the nursing program. The board will electronically notify nursing programs of the letter of intent;

2. Each sponsoring institution shall have only one (1) program proposal under consideration for initial approval at any one (1) time;

3. A program proposal shall be written and presented to the board by the administrator of the proposed program. The proposal shall bear the signature of the administrator who shall meet the criteria in 20 CSR 2200-3.060(1)(B) and shall be active in the position on a full-time basis for at least nine (9) months and preferably one (1) year prior to the entry of the first class. The number of copies of the proposal, as specified by the board, must be accompanied with the required application fee. The proposal must be prepared following the reporting format and include each component as indicated in paragraph (4)(A)4. of this rule. Board approval of the proposal with

or without contingencies must be obtained no later than six (6) months prior to the anticipated opening date;

4. A proposal submitted shall contain the following information:

A. Statement of need and feasibility study which includes:

(I) Documentation of the need for the nursing program including community and economic development need, rationale for why the program should be established, and documentation of employers' need for graduates of the proposed program;

(II) Number of professional nursing and practical nursing programs in the area and potential impact on those nursing programs;

(III) Number and source of anticipated student population;

(IV) Letters of support for the proposed nursing program;

and

(V) Source of potential qualified faculty;

B. Curriculum.

(I) Philosophy and/or mission.

(II) Graduate competencies.

(III) Curriculum sequence.

(IV) Course descriptions and objectives with number of credit hours or clock hours for all courses.

(V) Systematic evaluation plan;

C. Students.

(I) Maximum number of students per class.

(II) Number of classes admitted per year.

(III) Number of students anticipated in initial class.

(IV) Plan for increase to maximum enrollment, if applicable.

(V) Admission criteria.

(VI) Plans for progression and retention of students.

(VII) Formal complaint procedure.

(VIII) Availability of student services and personnel;

D. Faculty.

(I) Number of full-time and part-time faculty.

(II) Position descriptions;

E. Support services personnel.

(I) Number of full-time and part-time ancillary support services personnel.

(II) Position descriptions;

F. Sponsoring institution.

(I) Evidence of authorization to conduct the program of practical nursing by the governing body of the sponsoring institution.

(II) Evidence of accreditation by an agency recognized by the United States Department of Education.

(III) Provision of administrative structure/organizational charts of the sponsoring institution and the nursing program.

(IV) Evidence of the financial stability and resources of the sponsoring institution and the program of nursing; and

G. Facilities.

(I) Description of educational facilities to be used by the practical nursing program such as classrooms, library, offices, clinical skills laboratory and other facilities.

(II) Description of planned or available learning resources to include such items as equipment, supplies, library services, computers, and technology.

(III) Description of proposed clinical sites that will provide appropriate educational experiences.

(IV) A letter of intent from each proposed cooperating agency stating its ability to provide the appropriate educational experiences;

5. Site survey. Representatives from the board shall make an on-site survey to verify implementation of the proposal and compliance with 20 CSR 2200-3.050 through 20 CSR 2200-3.130; and

6. The board's decision to grant initial approval is contingent upon evidence from the site survey that the program is being implemented in compliance with 20 CSR 2200-3.050 through 20 CSR 2200-3.130.

(B) Throughout the period of initial approval, the program will submit an annual survey.

(C) Upon graduation of the program's first class and receipt of results of the National Council Licensure Examination for Practical Nurses (NCLEX-PN® examination), the board shall review the following:

1. The program's compliance with minimum standards during initial approval including the program's adherence to the approved proposal and changes authorized by the board;
2. Report of an on-site survey (if conducted);
3. Report of the National Council Licensure Examination for Practical Nurses results (as per 20 CSR 2200-3.180(1));
4. Identification and analysis of class graduation rate; and
5. Submission of program's ongoing evaluation plan with available data.

**(5) Full Approval Status.**

(B) On-Site Surveys. On-site surveys shall be made on a scheduled basis, at the direction of the board, or upon request of the nursing program. Each nursing program shall be surveyed typically at five (5)-year intervals. If the program is accredited by a national nursing accreditation agency, the nursing program may request that the on-site survey be scheduled in coordination with a national nursing accreditation agency visit.

**Title 20—DEPARTMENT OF INSURANCE,  
FINANCIAL INSTITUTIONS AND PROFESSIONAL  
REGISTRATION**  
**Division 2200—State Board of Nursing**  
**Chapter 3—Practical Nursing**

**ORDER OF RULEMAKING**

By the authority vested in the State Board of Nursing under sections 335.036 and 335.071, RSMo 2000, the board rescinds a rule as follows:

**20 CSR 2200-3.020 Discontinuing and Reopening Programs  
is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on June 1, 2007 (32 MoReg 887). No changes have been made to the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 20—DEPARTMENT OF INSURANCE,  
FINANCIAL INSTITUTIONS AND PROFESSIONAL  
REGISTRATION**  
**Division 2200—State Board of Nursing**  
**Chapter 3—Minimum Standards for Approved Programs  
of Practical Nursing**

**ORDER OF RULEMAKING**

By the authority vested in the State Board of Nursing under sections 335.036 and 335.071, RSMo 2000, the board adopts a rule as follows:

**20 CSR 2200-3.020 Discontinuing and Reopening Programs  
is adopted.**

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on June 1, 2007 (32 MoReg 887). No changes have been made to the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effec-

tive thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 20—DEPARTMENT OF INSURANCE,  
FINANCIAL INSTITUTIONS AND PROFESSIONAL  
REGISTRATION**  
**Division 2200—State Board of Nursing**  
**Chapter 3—Practical Nursing**

**ORDER OF RULEMAKING**

By the authority vested in the State Board of Nursing under sections 335.036 and 335.071, RSMo 2000, the board rescinds a rule as follows:

**20 CSR 2200-3.030 Change in Sponsorship is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on June 1, 2007 (32 MoReg 887–888). No changes have been made to the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 20—DEPARTMENT OF INSURANCE,  
FINANCIAL INSTITUTIONS AND PROFESSIONAL  
REGISTRATION**  
**Division 2200—State Board of Nursing**  
**Chapter 3—Minimum Standards for Approved Programs  
of Practical Nursing**

**ORDER OF RULEMAKING**

By the authority vested in the State Board of Nursing under sections 335.036 and 335.071, RSMo 2000, the board adopts a rule as follows:

**20 CSR 2200-3.030 Change in Sponsorship is adopted.**

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on June 1, 2007 (32 MoReg 888). No changes have been made to the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 20—DEPARTMENT OF INSURANCE,  
FINANCIAL INSTITUTIONS AND PROFESSIONAL  
REGISTRATION**  
**Division 2200—State Board of Nursing**  
**Chapter 3—Practical Nursing**

**ORDER OF RULEMAKING**

By the authority vested in the State Board of Nursing under section 335.036, RSMo 2000, the board rescinds a rule as follows:

**20 CSR 2200-3.035 Multiple Campuses is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on June 1, 2007 (32 MoReg 888). No changes have been made to the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

**SUMMARY OF COMMENTS:** No comments were received.

**Title 20—DEPARTMENT OF INSURANCE,  
FINANCIAL INSTITUTIONS AND PROFESSIONAL  
REGISTRATION**  
**Division 2200—State Board of Nursing**  
**Chapter 3—Minimum Standards for Approved Programs  
of Practical Nursing**

**ORDER OF RULEMAKING**

By the authority vested in the State Board of Nursing under sections 335.036 and 335.071, RSMo 2000, the board adopts a rule as follows:

20 CSR 2200-3.035 is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on June 1, 2007 (32 MoReg 888–889). Those sections with changes are reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

**SUMMARY OF COMMENTS:** The Missouri State Board of Nursing made one (1) change to the text of the rule based on their review.

**COMMENT:** During review of the proposed rule, the board voted to delete “five (5)-year survey,” in section (2) as the board can no longer conduct five (5)-year paper surveys, but must complete on-site surveys.

**RESPONSE AND EXPLANATION OF CHANGE:** The board amended section (2).

**20 CSR 2200-3.035 Multiple Campuses**

(2) Each campus is required to submit a separate annual survey, annual registration and annual registration fee.

**Title 20—DEPARTMENT OF INSURANCE,  
FINANCIAL INSTITUTIONS AND PROFESSIONAL  
REGISTRATION**  
**Division 2200—State Board of Nursing**  
**Chapter 3—Practical Nursing**

**ORDER OF RULEMAKING**

By the authority vested in the State Board of Nursing under section 335.036, RSMo 2000, the board rescinds a rule as follows:

**20 CSR 2200-3.040 Program Changes Requiring Board Approval,  
Notification, or Both is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on June 1, 2007 (32 MoReg 889). No changes have been made to the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

**SUMMARY OF COMMENTS:** No comments were received.

**Title 20—DEPARTMENT OF INSURANCE,  
FINANCIAL INSTITUTIONS AND PROFESSIONAL  
REGISTRATION**  
**Division 2200—State Board of Nursing**  
**Chapter 3—Minimum Standards for Approved Programs  
of Practical Nursing**

**ORDER OF RULEMAKING**

By the authority vested in the State Board of Nursing under section 335.036, RSMo 2000, the board adopts a rule as follows:

20 CSR 2200-3.040 is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on June 1, 2007 (32 MoReg 889–892). Those sections with changes are reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

**SUMMARY OF COMMENTS:** The Missouri State Board of Nursing received one (1) public comment and made one (1) change to the text of the rule based on their review.

**COMMENT #1:** During review of the proposed rule, the board noted that subsection (1)(A) should be changed from “Curriculum” to “Substantial revision of curriculum.”

**RESPONSE AND EXPLANATION OF CHANGE:** The board amended subsection (1)(A).

**COMMENT #2:** Nancy DeBasio, Research College of Nursing stated that the term “mission and philosophy” may be used together or separately by nursing programs.

**RESPONSE AND EXPLANATION OF CHANGE:** The board concurred and changed “philosophy/mission” to “philosophy and/or mission” in subsection (2)(B) of this rule.

**20 CSR 2200-3.040 Program Changes Requiring Board  
Approval, Notification, or Both**

(1) Board approval is required for changes of the following:  
(A) Substantial revision of curriculum;

(2) The request for board approval of program changes shall include:  
(B) Rationale for proposed changes including consistency with the program’s philosophy and/or mission and graduate competencies;

**Title 20—DEPARTMENT OF INSURANCE,  
FINANCIAL INSTITUTIONS AND PROFESSIONAL  
REGISTRATION**  
**Division 2200—State Board of Nursing**  
**Chapter 3—Practical Nursing**

**ORDER OF RULEMAKING**

By the authority vested in the State Board of Nursing under sections 335.036 and 335.071, RSMo 2000, the board rescinds a rule as follows:

**20 CSR 2200-3.050 Organization and Administration of an  
Approved Program of Practical Nursing is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on June 1, 2007 (32 MoReg 893). No changes have been made to the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 20—DEPARTMENT OF INSURANCE,  
FINANCIAL INSTITUTIONS AND PROFESSIONAL  
REGISTRATION**  
**Division 2200—State Board of Nursing**  
**Chapter 3—Minimum Standards for Approved Programs  
of Practical Nursing**

**ORDER OF RULEMAKING**

By the authority vested in the State Board of Nursing under sections 335.036 and 335.071, RSMo 2000, the board adopts a rule as follows:

20 CSR 2200-3.050 is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on June 1, 2007 (32 MoReg 893–894). Those sections with changes are reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The board received one (1) comment.

COMMENT: Nancy DeBasio, Research College of Nursing stated that the term “mission and philosophy” may be used together or separately by nursing programs.

RESPONSE AND EXPLANATION OF CHANGE: The board concurred and changed “philosophy/mission” to “philosophy and/or mission” in subsection (3)(B) of this rule.

**20 CSR 2200-3.050 Organization and Administration of an Approved Program of Practical Nursing**

(1) Philosophy and/or mission of the program shall be in writing and shall be consistent with the philosophy and/or mission statement of the sponsoring institution.

(2) Graduate competencies shall be derived from the program’s philosophy and/or mission.

(3) The philosophy and/or mission and the graduate competencies shall be the basis on which the curriculum is developed.

**Title 20—DEPARTMENT OF INSURANCE,  
FINANCIAL INSTITUTIONS AND PROFESSIONAL  
REGISTRATION**

**Division 2200—State Board of Nursing**  
**Chapter 3—Practical Nursing**

**ORDER OF RULEMAKING**

By the authority vested in the State Board of Nursing under section 335.036, RSMo 2000, the board rescinds a rule as follows:

**20 CSR 2200-3.060 Administrator/Faculty is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on June 1, 2007 (32 MoReg 895). No changes have been made to the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 20—DEPARTMENT OF INSURANCE,  
FINANCIAL INSTITUTIONS AND PROFESSIONAL  
REGISTRATION**  
**Division 2200—State Board of Nursing**  
**Chapter 3—Minimum Standards for Approved Programs  
of Practical Nursing**

**ORDER OF RULEMAKING**

By the authority vested in the State Board of Nursing under sections 335.036 and 335.071, RSMo 2000, the board adopts a rule as follows:

20 CSR 2200-3.060 is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on June 1, 2007 (32 MoReg 895–897). Those sections with changes are reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: One (1) comment was received by the board.

COMMENT #1: Nancy DeBasio, Research College of Nursing stated that the term “mission and philosophy” may be used together or separately by nursing programs.

RESPONSE AND EXPLANATION OF CHANGE: The board concurred and changed “philosophy/mission” to “philosophy and/or mission” in subsection (3)(B) of this rule.

**20 CSR 2200-3.060 Administrator/Faculty**

(3) Responsibilities. The administrator and faculty of the program shall be responsible for, but not limited to:

(B) Ongoing, systematic development, implementation and evaluation of the total program in relation to stated philosophy and/or mission and graduate competencies of the program;

**Title 20—DEPARTMENT OF INSURANCE,  
FINANCIAL INSTITUTIONS AND PROFESSIONAL  
REGISTRATION**  
**Division 2200—State Board of Nursing**  
**Chapter 3—Practical Nursing**

**ORDER OF RULEMAKING**

By the authority vested in the State Board of Nursing under section 335.036, RSMo 2000, the board rescinds a rule as follows:

**20 CSR 2200-3.070 Physical Facilities is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on June 1, 2007 (32 MoReg 898). No changes have been made to the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 20—DEPARTMENT OF INSURANCE,  
FINANCIAL INSTITUTIONS AND PROFESSIONAL  
REGISTRATION**  
**Division 2200—State Board of Nursing**  
**Chapter 3—Minimum Standards for Approved Programs  
of Practical Nursing**

**ORDER OF RULEMAKING**

By the authority vested in the State Board of Nursing under section 335.036, RSMo 2000, the board adopts a rule as follows:

**20 CSR 2200-3.070** is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on June 1, 2007 (32 MoReg 898-899). Those sections with changes are reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

**SUMMARY OF COMMENTS:** The Missouri State Board of Nursing received two (2) public comments and made one (1) change to the text of the rule based on their review.

**COMMENT #1:** A comment was received from Nancy Debasio, Research College of Nursing requesting clarification of whether it is necessary to state that students shall have access to a quiet area designated for study in light of the fact that most access resources online.

**RESPONSE AND EXPLANATION OF CHANGE:** The board believes it is important to have a quiet area designated for study, but it does not have to be connected to the library. Therefore, subsection (2)(A)1. is being deleted and the language is being added as section (3).

**COMMENT #2:** A comment was received from Nancy Debasio, Research College of Nursing stating that budget refers to printed and multi-media materials. Ms. Debasio sought the board's opinion if multi-media referred to the budget for online journals.

**RESPONSE AND EXPLANATION OF CHANGE:** The board clarified multi-media does also refer to online journals. To clarify, the board has changed the wording in paragraph (2)(B)1. from "printed and multi-media material" to "appropriate resources."

**COMMENT #3:** During review of the proposed rule, the board found the need to change paragraph (6)(B)3. to clarify that the policies and procedures for using the technology/computers need not be in writing.

**RESPONSE AND EXPLANATION OF CHANGE:** The board amended (6)(B)3.

**20 CSR 2200-3.070 Physical Facilities**

**(2) Library.**

(A) Each program and each campus of each program shall have access to library resources with current and available resources to meet the educational needs of the students and the instructional and scholarly activities of the faculty.

(B) Management of library resources shall include:

1. Budget for acquisition of appropriate resources;
2. System for identifying or deleting outdated resources; and
3. Policies and procedures governing the administration and the use of the library resources shall be in writing and available to students and faculty.

**(3) Quiet area designated for study.**

**(4) Classrooms.**

(A) Classrooms shall be of size, number and type for the number of students and teaching methodology.

(B) Classrooms shall have climate control, ventilation and lighting, seating, furnishings, and equipment conducive to learning.

(C) Storage space shall be available for equipment and supplies.

**(5) Clinical Skills Laboratory.**

(A) Each program and each campus of each program shall have a clinical skills laboratory sufficient to meet learning outcomes.

(B) Management of clinical skills laboratory shall include:

1. Budget allocation for equipment and supplies;
2. Plan for acquisition and maintenance of equipment and supplies; and
3. Policies and procedures governing the administration and the use of the clinical skills laboratory. These policies and procedures shall be in writing and available to students and faculty.

**(6) Technology Resources/Computers.**

(A) Each program and each campus of each program shall have access to current and available resources to meet the educational needs of the students and the instructional and scholarly activities of the faculty.

(B) Management of technology resources shall include:

1. Budget for acquisition of current technology, including computers;
2. System for identifying, deleting and/or replacing resources; and
3. Policies and procedures governing the administration and the use of the technology/computers. These policies and procedures shall be made available to students and faculty.

**Title 20—DEPARTMENT OF INSURANCE,  
FINANCIAL INSTITUTIONS AND PROFESSIONAL  
REGISTRATION**

**Division 2200—State Board of Nursing  
Chapter 3—Practical Nursing**

**ORDER OF RULEMAKING**

By the authority vested in the State Board of Nursing under section 335.036, RSMo 2000, the board rescinds a rule as follows:

**20 CSR 2200-3.080 Clinical Sites is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on June 1, 2007 (32 MoReg 900). No changes have been made to the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

**SUMMARY OF COMMENTS:** No comments were received.

**Title 20—DEPARTMENT OF INSURANCE,  
FINANCIAL INSTITUTIONS AND PROFESSIONAL  
REGISTRATION**

**Division 2200—State Board of Nursing  
Chapter 3—Minimum Standards for Approved Programs  
of Practical Nursing**

**ORDER OF RULEMAKING**

By the authority vested in the State Board of Nursing under sections 335.036 and 335.071, RSMo 2000, the board adopts a rule as follows:

**20 CSR 2200-3.080** is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on June 1, 2007 (32 MoReg 900). Those sections with changes are reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

**SUMMARY OF COMMENTS:** Two (2) comments were received by the board.

Due to a similarity of the following two (2) comments, one (1) response that addresses both comments can be found at the end of these two (2) comments.

**COMMENT #1:** After reviewing the proposed rule a member of the board recognized that the board would need to allow a certain percentage of clinical time to be dedicated to clinical simulation. She suggested that this be no more than twenty percent (20%) simulation; twenty percent (20%) observation; and sixty percent (60%) actual patient care.

**COMMENT #2:** Mari Beth Linder, Ph.D., R.N., B.C., Associate Professor and Department Head, Department of Nursing, Missouri Southern State University stated that if the National Council of State Boards of Nursing (NCSBN) has a position statement that simulation hours should not be counted as direct clinical, that this fact should be referenced under section (2).

**RESPONSE AND EXPLANATION OF CHANGE:** Most agree that there is not sufficient evidence to determine the effectiveness of clinical simulation, however, the board's intent is that the minimum standards are outcome based and programs should be able to structure their programs based on evidence. To support the evolution of education, the board believes a clarifying statement should be made that clinical simulation and clinical skills lab time is at the discretion of the nursing program. Therefore, the board has amended section (3).

## **20 CSR 2200-3.080 Clinical Sites**

(3) Clinical simulation and clinical skills lab time is at the discretion of the nursing program.

### **Title 20—DEPARTMENT OF INSURANCE, FINANCIAL INSTITUTIONS AND PROFESSIONAL REGISTRATION**

**Division 2200—State Board of Nursing**  
**Chapter 3—Practical Nursing**

#### **ORDER OF RULEMAKING**

By the authority vested in the State Board of Nursing under sections 335.036 (2), (3), (4), (5) and (6) and 335.071, RSMo 2000, the board rescinds a rule as follows:

#### **20 CSR 2200-3.085 Preceptors is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on June 1, 2007 (32 MoReg 900). No changes have been made to the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

**SUMMARY OF COMMENTS:** No comments were received.

### **Title 20—DEPARTMENT OF INSURANCE, FINANCIAL INSTITUTIONS AND PROFESSIONAL REGISTRATION**

**Division 2200—State Board of Nursing**  
**Chapter 3—Minimum Standards for Approved Programs  
of Practical Nursing**

#### **ORDER OF RULEMAKING**

By the authority vested in the State Board of Nursing under sections 335.036 and 335.071, RSMo 2000, the board adopts a rule as follows:

#### **20 CSR 2200-3.085 is adopted.**

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on June 1, 2007 (32 MoReg 900-901). Those sections with changes are reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

**SUMMARY OF COMMENTS:** The Missouri State Board of Nursing made one (1) change to the text of the rule based on their review.

**COMMENT:** Stemming from a discussion with a school at the Midwest Leadership Institute, the board reviewed the rule and determined that changes are needed to clarify the text of rule. The school indicated that the clinical site director selects the preceptor and the preceptor may change daily. The clinical faculty does not regularly visit the clinical site. The school was relying on written materials and evaluations that the preceptor completes. They suggested that a sentence be added that requires the faculty of the nursing program meet with the preceptor and the student on a regular basis.

**RESPONSE AND EXPLANATION OF CHANGE:** The board amended section (3).

## **20 CSR 2200-3.085 Preceptors**

(3) Responsibilities of the nursing program faculty in regards to utilization of preceptors shall include:

- (D) Assume responsibility for each student's final evaluation and the assigning of a performance rating or grade;
- (E) Faculty shall be readily available to students and clinical preceptors during clinical learning experiences; and
- (F) The designated faculty member shall meet periodically with the clinical preceptors and student(s) for the purpose of monitoring and evaluating learning experiences.

### **Title 20—DEPARTMENT OF INSURANCE, FINANCIAL INSTITUTIONS AND PROFESSIONAL REGISTRATION**

**Division 2200—State Board of Nursing**  
**Chapter 3—Practical Nursing**

#### **ORDER OF RULEMAKING**

By the authority vested in the State Board of Nursing under sections 335.036, RSMo 2000, the board rescinds a rule as follows:

#### **20 CSR 2200-3.090 Students is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on June 1, 2007 (32 MoReg 901). No changes have been made to the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

**SUMMARY OF COMMENTS:** No comments were received.

### **Title 20—DEPARTMENT OF INSURANCE, FINANCIAL INSTITUTIONS AND PROFESSIONAL REGISTRATION**

**Division 2200—State Board of Nursing**  
**Chapter 3—Minimum Standards for Approved Programs  
of Practical Nursing**

#### **ORDER OF RULEMAKING**

By the authority vested in the State Board of Nursing under sections 335.036 and 335.071, RSMo 2000, the board adopts a rule as follows:

#### **20 CSR 2200-3.090 Students is adopted.**

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on June 1, 2007 (32 MoReg 901-902). No changes have been made to the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

**SUMMARY OF COMMENTS:** The Missouri State Board of Nursing discussed one (1) suggestion for change to the text of the rule based on their review.

**COMMENT:** After reviewing the proposed rule, a board member suggested that subsection (1)(D) be further clarified as to whether "members of the class to which they are admitted" means "admit" as in the original class or the readmitted class.

**RESPONSE:** The intent is the readmitted class, but this should be at the discretion of the nursing program so no change has been made.

### **Title 20—DEPARTMENT OF INSURANCE, FINANCIAL INSTITUTIONS AND PROFESSIONAL REGISTRATION**

#### **Division 2200—State Board of Nursing**

##### **Chapter 3—Practical Nursing**

#### **ORDER OF RULEMAKING**

By the authority vested in the State Board of Nursing under section 335.036, RSMo 2000, the board rescinds a rule as follows:

#### **20 CSR 2200-3.100 Educational Program is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on June 1, 2007 (32 MoReg 902). No changes have been made to the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

**SUMMARY OF COMMENTS:** No comments were received.

### **Title 20—DEPARTMENT OF INSURANCE, FINANCIAL INSTITUTIONS AND PROFESSIONAL REGISTRATION**

#### **Division 2200—State Board of Nursing**

##### **Chapter 3—Minimum Standards for Approved Programs of Practical Nursing**

#### **ORDER OF RULEMAKING**

By the authority vested in the State Board of Nursing under section 335.036, RSMo 2000, the board adopts a rule as follows:

#### **20 CSR 2200-3.100 is adopted.**

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on June 1, 2007 (32 MoReg 902-903). Those sections with changes are reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

**SUMMARY OF COMMENTS:** The Missouri State Board of Nursing received one (1) public comment and made three (3) changes to the text of the rule based on their review.

**COMMENT #1:** Nancy DeBasio, Research College of Nursing, stated that the term "mission and philosophy" may be used together or separately by nursing programs.

**RESPONSE AND EXPLANATION OF CHANGE:** The board concurred and changed "philosophy/mission" to "philosophy and/or mission" in subsection (1)(A) of this rule.

**COMMENT #2:** After reviewing the proposed rule, a board member suggested adding, "quality and safety education; informatics and information management; professionalism; evidence-based practice; patient-centered care; interprofessional collaboration; and quality improvement to the curriculum requirements."

**RESPONSE AND EXPLANATION OF CHANGE:** The board does not want a laundry list, but agreed to add evidence-based practice and patient-centered care as paragraphs (3)(C)10. and 11.

**COMMENT #3:** After reviewing the proposed rule, the board discovered the need to add "Course Policies" to the requirements for the Syllabi.

**RESPONSE AND EXPLANATION OF CHANGE:** The board agreed to add course policies as subsection (4)(D).

**COMMENT #4:** After reviewing the proposed rule, the board discovered the need to add "with faculty oversight" to subsection (5)(D).

**RESPONSE AND EXPLANATION OF CHANGE:** The board agreed to add "with faculty oversight" at the end of the sentence under subsection (5)(D).

#### **20 CSR 2200-3.100 Educational Program**

##### **(1) General Purpose.**

(A) The program shall have a philosophy and/or mission which guides the curriculum practices.

(B) Graduate competencies shall be derived from the philosophy and/or mission of the program.

(C) The educational program shall provide planned learning experiences essential to the achievement of the stated philosophy and/or mission and graduate competencies of the program and shall demonstrate logical progression.

##### **(2) Curriculum Organization and Development.**

(B) There shall be a written curriculum plan which reflects the program's philosophy and/or mission and objectives and shall be logically consistent between and within courses.

(3) Curriculum Requirements. There shall be a general written plan for the total curriculum which will show the courses taught, sequence, correlation and integration of classroom and clinical instruction. Content may be developed as a separate course or integrated. Integrated concepts shall be evident in the course objectives. Instruction shall be proved in the following areas:

(C) Nursing science. Theory and clinical instruction in nursing shall be based on the nursing process and encompass the promotion, maintenance, and restoration of physical and mental health and the prevention of illness for individuals and groups throughout the life cycle. Content shall enable the student to develop competency in each of the following areas:

1. Fundamentals of nursing;
2. Nursing of adults;
3. Nursing of children;
4. Nursing of the elderly;
5. Maternal and newborn nursing;
6. Mental health concepts;
7. Administration of medications;
8. IV Therapy;
9. Leadership/management concepts;
10. Evidence-based practice; and
11. Patient-centered care.

(4) Course syllabi shall be current and available to all faculty and students and include:

- (A) The objectives of each course;
- (B) The teaching/learning strategies to be used;
- (C) Evaluation methodologies; and
- (D) Course policies.

(5) Distance Education. Courses/programs of study that utilize distance education shall have:

(D) Clinical courses must be faculty directed and include direct patient care activities with faculty oversight;

**Title 20—DEPARTMENT OF INSURANCE,  
FINANCIAL INSTITUTIONS AND PROFESSIONAL  
REGISTRATION**  
**Division 2200—State Board of Nursing**  
**Chapter 3—Practical Nursing**

**ORDER OF RULEMAKING**

By the authority vested in the State Board of Nursing under sections 335.036 and 335.071, RSMo 2000, the board rescinds a rule as follows:

**20 CSR 2200-3.110 Records is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on June 1, 2007 (32 MoReg 903). No changes have been made to the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 20—DEPARTMENT OF INSURANCE,  
FINANCIAL INSTITUTIONS AND PROFESSIONAL  
REGISTRATION**  
**Division 2200—State Board of Nursing**  
**Chapter 3—Minimum Standards for Approved Programs  
of Practical Nursing**

**ORDER OF RULEMAKING**

By the authority vested in the State Board of Nursing under sections 335.036 and 335.071, RSMo 2000, the board adopts a rule as follows:

**20 CSR 2200-3.110 Records is adopted.**

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on June 1, 2007 (32 MoReg 903–905). No changes have been made to the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 20—DEPARTMENT OF INSURANCE,  
FINANCIAL INSTITUTIONS AND PROFESSIONAL  
REGISTRATION**  
**Division 2200—State Board of Nursing**  
**Chapter 3—Practical Nursing**

**ORDER OF RULEMAKING**

By the authority vested in the State Board of Nursing under sections 335.036 and 335.071, RSMo 2000, the board rescinds a rule as follows:

**20 CSR 2200-3.120 Publications is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on June 1, 2007 (32 MoReg 906). No changes have been made to the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 20—DEPARTMENT OF INSURANCE,  
FINANCIAL INSTITUTIONS AND PROFESSIONAL  
REGISTRATION**  
**Division 2200—State Board of Nursing**  
**Chapter 3—Minimum Standards for Approved Programs  
of Practical Nursing**

**ORDER OF RULEMAKING**

By the authority vested in the State Board of Nursing under sections 335.036 and 335.071, RSMo 2000, the board adopts a rule as follows:

**20 CSR 2200-3.120 is adopted.**

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on June 1, 2007 (32 MoReg 906). Those sections with changes are reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: One (1) public comment was received by the board.

COMMENT: Nancy DeBasio, Research College of Nursing stated that the term “mission and philosophy” may be used together or separately by nursing programs.

RESPONSE AND EXPLANATION OF CHANGE: The board concurred and changed “philosophy/mission” to “philosophy and/or mission” in subsection (4)(A) of this rule.

**20 CSR 2200-3.120 Publications**

(4) The following information shall be available to the student in writing upon entry:

- (A) Philosophy and/or mission;

**Title 20—DEPARTMENT OF INSURANCE,  
FINANCIAL INSTITUTIONS AND PROFESSIONAL  
REGISTRATION**  
**Division 2200—State Board of Nursing**  
**Chapter 3—Practical Nursing**

**ORDER OF RULEMAKING**

By the authority vested in the State Board of Nursing under section 335.036, RSMo 2000, the board rescinds a rule as follows:

**20 CSR 2200-3.130 Evaluations is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on June 1, 2007 (32 MoReg

906). No changes have been made to the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

**SUMMARY OF COMMENTS:** No comments were received.

**Title 20—DEPARTMENT OF INSURANCE,  
FINANCIAL INSTITUTIONS AND PROFESSIONAL  
REGISTRATION**  
**Division 2200—State Board of Nursing**  
**Chapter 3—Minimum Standards for Approved Programs  
of Practical Nursing**

**ORDER OF RULEMAKING**

By the authority vested in the State Board of Nursing under sections 335.036 and 335.071, RSMo 2000, the board adopts a rule as follows:

**20 CSR 2200-3.130 Program Evaluation is adopted.**

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on June 1, 2007 (32 MoReg 907). No changes have been made to the text of the proposed rule, so it is not reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

**SUMMARY OF COMMENTS:** No comments were received.

**Title 20—DEPARTMENT OF INSURANCE,  
FINANCIAL INSTITUTIONS AND PROFESSIONAL  
REGISTRATION**  
**Division 2200—State Board of Nursing**  
**Chapter 3—Practical Nursing**

**ORDER OF RULEMAKING**

By the authority vested in the State Board of Nursing under sections 335.036(2), (3), (4), (5) and (6) and 335.071, RSMo 2000, the board rescinds a rule as follows:

**20 CSR 2200-3.180 Licensure Examination Performance  
is rescinded.**

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on June 1, 2007 (32 MoReg 907). No changes have been made to the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

**SUMMARY OF COMMENTS:** No comments were received.

**Title 20—DEPARTMENT OF INSURANCE,  
FINANCIAL INSTITUTIONS AND PROFESSIONAL  
REGISTRATION**  
**Division 2200—State Board of Nursing**  
**Chapter 3—Minimum Standards for Approved Programs  
of Practical Nursing**

**ORDER OF RULEMAKING**

By the authority vested in the State Board of Nursing under sections 335.036 and 335.071, RSMo 2000, the board adopts a rule as follows:

20 CSR 2200-3.180 is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on June 1, 2007 (32 MoReg 907-910). Those sections with changes are reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

**SUMMARY OF COMMENTS:** The Missouri State Board of Nursing made one (1) change to the text of the rule based on their review.

**COMMENT #1:** After reviewing the proposed rule, the board questioned the need to change the wording in subsection (3)(B) from “may be placed on conditional approval status” to “will be placed on conditional approval status.”

**RESPONSE:** After considering the proposed change, it was the board’s intent to leave this discretionary; therefore, no changes were made to the wording of the rule.

**COMMENT #2:** After reviewing the proposed rule, the board discovered the need to add “graduate satisfaction” to the requirement for program effectiveness listed under paragraph (3)(B)4.

**RESPONSE AND EXPLANATION OF CHANGE:** The board agreed to add “graduate satisfaction” as paragraph (3)(B)4.

**20 CSR 2200-3.180 Licensure Examination Performance**

(3) The nursing program with a pass rate lower than eighty percent (80%) will:

(B) Second consecutive year—The program may be placed on conditional approval status. The program administrator will be required to appear before and present to the board an analysis of program effectiveness, problems identified, and plans of correction. Program effectiveness may include evidence of:

1. Class graduation rates;
2. National Council Licensure Examination for Practical Nurses (NCLEX-PN®) pass rates;
3. Student satisfaction;
4. Graduate satisfaction;
5. Job placement rates; and
6. Employer satisfaction;

**Title 20—DEPARTMENT OF INSURANCE,  
FINANCIAL INSTITUTIONS AND PROFESSIONAL  
REGISTRATION**

**Division 2210—State Board of Optometry**  
**Chapter 2—General Rules**

**ORDER OF RULEMAKING**

By the authority vested in the Missouri State Board of Optometry under sections 336.080 and 336.160.1, RSMo 2000, the board amends a rule as follows:

**20 CSR 2210-2.030 License Renewal is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on July 16, 2007 (32 MoReg 1135). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

**SUMMARY OF COMMENTS:** No comments were received.

This section may contain notice of hearings, correction notices, public information notices, rule action notices, statements of actual costs and other items required to be published in the *Missouri Register* by law.

**Title 7—DEPARTMENT OF TRANSPORTATION  
Division 10—Missouri Highways and  
Transportation Commission  
Chapter 25—Motor Carrier Operations**

**IN ADDITION**

**7 CSR 10-25.010 Skill Performance Evaluation Certificates for Commercial Drivers**

**PUBLIC NOTICE**

Public Notice and Request for Comments on Applications for Issuance of Skill Performance Evaluation Certificates to Intrastate Commercial Drivers with Diabetes Mellitus or Impaired Vision

**SUMMARY:** This notice publishes MoDOT's receipt of applications for the issuance of Skill Performance Evaluation (SPE) Certificates, from individuals who do not meet the physical qualification requirements in the Federal Motor Carrier Safety Regulations for drivers of commercial motor vehicles in Missouri intrastate commerce, because of impaired vision, or an established medical history or clinical diagnosis of diabetes mellitus currently requiring insulin for control. If granted, the SPE Certificates will authorize these individuals to qualify as drivers of commercial motor vehicles (CMVs), in intrastate commerce only, without meeting the vision standard prescribed in 49 CFR 391.41(b)(10), if applicable, or the diabetes standard prescribed in 49 CFR 391.41(b)(3).

**DATES:** Comments must be received at the address stated below, on or before November 30, 2007.

**ADDRESSES:** You may submit comments concerning an applicant, identified by the Application Number stated below, by any of the following methods:

- E-mail:* [Kathy.Hatfield@modot.mo.gov](mailto:Kathy.Hatfield@modot.mo.gov)
- Mail:* PO Box 893, Jefferson City, MO 65102-0893
- Hand Delivery:* 1320 Creek Trail Drive, Jefferson City, MO 65109
- Instructions:* All comments submitted must include the agency name and Application Number for this public notice. For detailed instructions on submitting comments, see the Public Participation heading of the Supplementary Information section of this notice. All comments received will be open and available for public inspection and MoDOT may publish those comments by any available means.

**COMMENTS RECEIVED  
BECOME MoDOT PUBLIC RECORD**

- By submitting any comments to MoDOT, the person authorizes MoDOT to publish those comments by any available means.
- Docket:* For access to the department's file, to read background documents or comments received, 1320 Creek Trail Drive, Jefferson City, MO 65109, between 7:30 a.m. and 4:00 p.m., Monday through Friday, except state holidays.

**FOR FURTHER INFORMATION CONTACT:** Ms. Kathy Hatfield, Motor Carrier Specialist, (573) 522-9001, MoDOT Motor Carrier Services Division, PO Box 893, Jefferson City, MO 65102-0893. Office hours are from 7:30 a.m. to 4:00 p.m., CT, Monday through Friday, except state holidays.

**SUPPLEMENTARY INFORMATION:**

**Public Participation**

If you want us to notify you that we received your comments, please include a self-addressed, stamped envelope or postcard.

**Background**

The individuals listed in this notice have recently filed applications requesting MoDOT to issue SPE Certificates to exempt them from the physical qualification requirements relating to vision in 49 CFR 391.41(b)(10), or to diabetes in 49 CFR 391.41(b)(3), which otherwise apply to drivers of CMVs in Missouri intrastate commerce.

Under section 622.555, *Missouri Revised Statutes* (RSMo) Supp. 2006, MoDOT may issue a Skill Performance Evaluation Certificate, for not more than a two (2)-year period, if it finds that the applicant has the ability, while operating CMVs, to maintain a level of safety that is equivalent to or greater than the driver qualification standards of 49 CFR 391.41. Upon application, MoDOT may renew an exemption upon expiration.

Accordingly, the agency will evaluate the qualifications of each applicant to determine whether issuing a SPE Certificate will comply with the statutory requirements and will achieve the required level of safety. If granted, the SPE Certificate is only applicable to intrastate transportation wholly within Missouri.

**Qualifications of Applicants**

**Application # MP070626036**

Renewal Applicant's Name & Age: Florece A. Williams, 27

Relevant Physical Condition: Ms. Williams' best corrected visual acuity in her right eye is 20/30 Snellen and she is blind in her left eye.

Relevant Driving Experience: Ms. Williams is currently employed as a security officer at Wackenhut since July 2003 and has no previous driving experience. She currently has a Class F driver's license and a Class B permit. Drives personal vehicle(s) daily.

Doctor's Opinion & Date: Following an examination in June 2007, her optometrist certified, "In my medical opinion, Ms. Williams' visual deficiency is stable and has sufficient vision to perform the driving tasks required to operate a commercial motor vehicle, and that her condition will not adversely affect her ability to operate a commercial motor vehicle safely."

Traffic Accidents and Violations: No accidents or violations on record.

**Request for Comments**

The Missouri Department of Transportation, Motor Carrier Services Division, pursuant to section 622.555, RSMo, and rule 7 CSR 10-25.010, requests public comment from all interested persons on the applications for issuance of Skill Performance Evaluation Certificates described in this notice. We will consider all comments received before the close of business on the closing date indicated earlier in this notice.

Issued on: October 1, 2007

*Jan Skouby, Motor Carrier Services Director, Missouri Department of Transportation.*

**Title 19—DEPARTMENT OF HEALTH AND  
SENIOR SERVICES**  
**Division 60—Missouri Health Facilities Review Committee**  
**Chapter 50—Certificate of Need Program**

**APPLICATION REVIEW SCHEDULE**

The Missouri Health Facilities Review Committee has initiated review of the applications listed below. A decision is tentatively scheduled for December 3, 2007. These applications are available for public inspection at the address shown below:

**Date Filed**

**Project Number:** Project Name

City (County)

Cost, Description

**09/20/07**

**#4101 HS:** Heartland Long Term Care Hospital

St. Joseph (Buchanan County)

\$2,230,000, Establish 41-bed long-term care hospital

**09/21/07**

**#4121 RS:** Troy Residential

Troy (Lincoln County)

\$4,181,615, Establish 46-bed assisted living facility

**#4124 HS:** St. Luke's Outpatient Center

Chesterfield (St. Louis County)

\$2,073,784, Acquire magnetic resonance imager

**#4125 HS:** St. Luke's Outpatient Center

Chesterfield (St. Louis County)

\$1,433,460, Acquire computerized tomography scanner

**#4120 HS:** Hannibal Regional Hospital

Hannibal (Marion County)

\$1,333,174, Acquire second cardiac catheterization laboratory

Any person wishing to request a public hearing for the purpose of commenting on these applications must submit a written request to this effect, which must be received by October 24, 2007. All written requests and comments should be sent to:

Chairman  
Missouri Health Facilities Review Committee  
c/o Certificate of Need Program  
Post Office Box 570  
Jefferson City, MO 65102

For additional information contact  
Donna Schuessler, (573) 751-6403.

The Secretary of State is required by sections 347.141 and 359.481, RSMo 2000 to publish dissolutions of limited liability companies and limited partnerships. The content requirements for the one-time publishing of these notices are prescribed by statute. This listing is published pursuant to these statutes. We request that documents submitted for publication in this section be submitted in camera ready 8 1/2" x 11" manuscript by email to [dissolutions@sos.mo.gov](mailto:dissolutions@sos.mo.gov).

## **NOTICE OF CORPORATE DISSOLUTION TO ALL CREDITORS OF AND CLAIMANTS AGAINST SEVEN FOURTEEN LOCUST STREET REDEVELOPMENT CORPORATION**

On September 10, 2007, Seven Fourteen Locust Street Redevelopment Corporation filed Articles of Dissolution with the Missouri Secretary of State.

You are hereby notified that if you believe you have a claim against Seven Fourteen Locust Street Redevelopment Corporation, you must submit a summary in writing of the circumstances surrounding your claim to:

Seven Fourteen Locust Street Redevelopment Corporation  
714 Locust Street  
St. Louis, Missouri 63101

The summary of your claim must include the following information:

1. The name, address and telephone number of the claimant.
2. The amount of the claim.
3. The date the claim accrued or will accrue.
4. A brief description of the nature of the debt or the basis for the claim.
5. Whether the claim is secured, and if so, the collateral used as security.

All claims against Seven Fourteen Locust Street Redevelopment Corporation will be barred unless a proceeding to enforce the claim is commenced within two years after the publication of this Notice.

**Notice of Winding Up and Dissolution of Limited Liability Corporation**

Notice is hereby given of the winding up and dissolution of Client Services Customer Care, LLC, a Missouri limited liability company, pursuant to Chapter 347.137 RSMo. Any person having a claim against the corporation shall file a claim at 2415 South Austin Ave., Suite 103, Dennison, Texas 75020, stating (a) the amount of the claim; (b) the basis for the claim; and (c) documentation of the claim. All claims will be barred unless a proceeding to enforce the claims commenced within three years after the publication of this notice.

Rollings, Shaw & Associates, P.C.

Attorneys

1000 Fairgrounds Rd., Ste. 200

St. Charles, MO 63301

**NOTICE OF DISSOLUTION OF LIMITED LIABILITY COMPANY TO ALL CREDITORS OF AND  
ALL CLAIMANTS AGAINST O'CONNOR CONTRACTING, L.L.C.:**

On August 27, 2007, O'Connor Contracting, L.L.C., a Missouri limited liability company, filed its Notice of Winding Up for a limited liability company with the Missouri Secretary of State, effective on the filing date.

Said limited liability company requests that all persons and organizations who have claims against it present them by letter immediately to the corporation in C/O Deborah L. Doak, P.C., Attn: Deborah L. Doak, Attorney at Law, 1001 Craig Rd., Ste. 260, St. Louis, MO 63146. Claims must include name and address of claimant, amount of claim, basis of claim and documentation of claim.

All claims against O'Connor Contracting, L.L.C. will be barred unless a proceeding to enforce the claim is commenced within three (3) years after the publication of this notice.

**NOTICE OF DISSOLUTION OF LIMITED LIABILITY COMPANY  
TO ALL CREDITORS OF AND CLAIMANTS AGAINST  
TURNBERRY ESTATES DEVELOPMENT CO., L.L.C.**

On September 13, 2007, Turnberry Estates Development Co., L.L.C., filed Notice of Winding Up for Limited Liability Company with the Missouri Secretary of State. Claims against Turnberry Estates Development Co., L.L.C., must be submitted to Rick J. Muenks, Attorney at Law, 3041 S. Kimbrough Avenue, Ste. 106, Springfield, Missouri 65807. Claims must include name and address of claimant; amount of claim; basis of claim; and documentation of claim. By law, proceedings are barred unless commenced against the LLC within three years after the publication of this notice.

This cumulative table gives you the latest status of rules. It contains citations of rulemakings adopted or proposed after deadline for the monthly Update Service to the *Code of State Regulations*, citations are to volume and page number in the *Missouri Register*, except for material in this issue. The first number in the table cite refers to the volume number or the publication year—30 (2005) and 31 (2006). MoReg refers to *Missouri Register* and the numbers refer to a specific *Register* page, R indicates a rescission, W indicates a withdrawal, S indicates a statement of actual cost, T indicates an order terminating a rule, N.A. indicates not applicable, RUC indicates a rule under consideration, and F indicates future effective date.

Rule Number	Agency	Emergency	Proposed	Order	In Addition
<b>OFFICE OF ADMINISTRATION</b>					
1 CSR 10	State Officials' Salary Compensation Schedule				30 MoReg 2435
1 CSR 10-8.010	Commissioner of Administration		32 MoReg 970	32 MoReg 1967	
1 CSR 15-3.350	Administrative Hearing Commission		32 MoReg 1025	32 MoReg 2091	
1 CSR 50-1.010	Missouri Ethics Commission		32 MoReg 1906		
1 CSR 50-2.015	Missouri Ethics Commission		32 MoReg 1906		
1 CSR 50-2.020	Missouri Ethics Commission		32 MoReg 1907		
1 CSR 50-2.060	Missouri Ethics Commission		32 MoReg 1907		
1 CSR 50-2.070	Missouri Ethics Commission		32 MoReg 1907		
1 CSR 50-2.080	Missouri Ethics Commission		32 MoReg 1908		
1 CSR 50-2.090	Missouri Ethics Commission		32 MoReg 1908		
1 CSR 50-2.150	Missouri Ethics Commission		32 MoReg 1908		
<b>DEPARTMENT OF AGRICULTURE</b>					
2 CSR 30-2.040	Animal Health		32 MoReg 971	This IssueW	
2 CSR 80-5.010	State Milk Board		32 MoReg 1093	This Issue	
2 CSR 90-30.085	Weights and Measures		32 MoReg 1027		
2 CSR 110-2.010	Office of the Director		32 MoReg 1909		
2 CSR 110-3.010	Office of the Director		32 MoReg 1170		
<b>DEPARTMENT OF CONSERVATION</b>					
3 CSR 10-4.130	Conservation Commission		This Issue		
3 CSR 10-5.205	Conservation Commission		This Issue		
3 CSR 10-5.215	Conservation Commission		This Issue		
3 CSR 10-5.220	Conservation Commission		This Issue		
3 CSR 10-5.225	Conservation Commission		This Issue		
3 CSR 10-5.300	Conservation Commission		This Issue		
3 CSR 10-5.310	Conservation Commission		This Issue		
3 CSR 10-5.315	Conservation Commission		This Issue		
3 CSR 10-5.320	Conservation Commission		This Issue		
3 CSR 10-6.410	Conservation Commission		This Issue		
3 CSR 10-6.415	Conservation Commission		32 MoReg 1547		
3 CSR 10-6.510	Conservation Commission		This Issue		
3 CSR 10-6.530	Conservation Commission		This Issue		
3 CSR 10-6.540	Conservation Commission		This Issue		
3 CSR 10-6.605	Conservation Commission		This Issue		
3 CSR 10-7.431	Conservation Commission		32 MoReg 1547		
			This Issue		
3 CSR 10-7.438	Conservation Commission		32 MoReg 1548		
3 CSR 10-7.440	Conservation Commission		N.A.	32 MoReg 1849	
3 CSR 10-7.445	Conservation Commission		This Issue		
3 CSR 10-7.450	Conservation Commission		This Issue		
3 CSR 10-7.455	Conservation Commission				32 MoReg 261
3 CSR 10-8.515	Conservation Commission		This Issue		
3 CSR 10-9.110	Conservation Commission		32 MoReg 1548		
3 CSR 10-9.353	Conservation Commission		This Issue		
3 CSR 10-9.359	Conservation Commission		This Issue		
3 CSR 10-9.442	Conservation Commission		N.A.	32 MoReg 1850	
3 CSR 10-10.711	Conservation Commission		This Issue		
3 CSR 10-10.720	Conservation Commission		This Issue		
3 CSR 10-10.722	Conservation Commission		This Issue		
3 CSR 10-10.724	Conservation Commission		This Issue		
3 CSR 10-10.725	Conservation Commission		This Issue		
3 CSR 10-10.767	Conservation Commission		This Issue		
3 CSR 10-11.115	Conservation Commission		This Issue		
3 CSR 10-11.120	Conservation Commission		This Issue		
3 CSR 10-11.135	Conservation Commission		This Issue		
3 CSR 10-11.160	Conservation Commission		This Issue		
3 CSR 10-11.165	Conservation Commission		This Issue		
3 CSR 10-11.180	Conservation Commission		This Issue		
3 CSR 10-11.181	Conservation Commission		This Issue		
3 CSR 10-11.186	Conservation Commission		This Issue		
3 CSR 10-11.205	Conservation Commission		This Issue		
3 CSR 10-11.210	Conservation Commission		This Issue		
3 CSR 10-11.215	Conservation Commission		This Issue		

**Rule Changes Since Update**November 1, 2007  
Vol. 32, No. 21

Rule Number	Agency	Emergency	Proposed	Order	In Addition
3 CSR 10-12.109	Conservation Commission		This Issue		
3 CSR 10-12.110	Conservation Commission		This Issue		
3 CSR 10-12.115	Conservation Commission		32 MoReg 1549		
3 CSR 10-12.125	Conservation Commission		This Issue		
3 CSR 10-12.130	Conservation Commission		32 MoReg 1549		
			This Issue		
3 CSR 10-12.135	Conservation Commission		N.A.	32 MoReg 1850	
3 CSR 10-12.140	Conservation Commission		N.A.	32 MoReg 1851	
3 CSR 10-12.145	Conservation Commission		32 MoReg 1549		
3 CSR 10-12.150	Conservation Commission		This Issue		
3 CSR 10-20.805	Conservation Commission		This Issue		
<b>DEPARTMENT OF ECONOMIC DEVELOPMENT</b>					
4 CSR 240-3.570	Public Service Commission		32 MoReg 1910		
4 CSR 240-23.020	Public Service Commission		32 MoReg 1096		
4 CSR 240-23.030	Public Service Commission		32 MoReg 1104		
4 CSR 265-2.060	Division of Motor Carrier and Railroad Safety <i>(Moving to 7 CSR 265-10.015)</i>	32 MoReg 2011	32 MoReg 2043		
4 CSR 265-6.020	Division of Motor Carrier and Railroad Safety	32 MoReg 2014R	32 MoReg 2046R		
<b>DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION</b>					
5 CSR 50-500.010	Division of School Improvement		32 MoReg 2046		
5 CSR 70-742.140	Special Education				32 MoReg 2094
5 CSR 80-800.200	Teacher Quality and Urban Education	32 MoReg 759	32 MoReg 2091		32 MoReg 2094
5 CSR 80-800.220	Teacher Quality and Urban Education	32 MoReg 759	32 MoReg 2091		32 MoReg 2094
5 CSR 80-800.230	Teacher Quality and Urban Education	32 MoReg 760	32 MoReg 2091		32 MoReg 2094
5 CSR 80-800.260	Teacher Quality and Urban Education	32 MoReg 760	32 MoReg 2092		32 MoReg 2095
5 CSR 80-800.270	Teacher Quality and Urban Education	32 MoReg 761	32 MoReg 2092		32 MoReg 2095
5 CSR 80-800.280	Teacher Quality and Urban Education	32 MoReg 761	32 MoReg 2092		32 MoReg 2095
5 CSR 80-800.290	Teacher Quality and Urban Education				32 MoReg 2095
5 CSR 80-800.350	Teacher Quality and Urban Education	32 MoReg 761	32 MoReg 2092		32 MoReg 2096
5 CSR 80-800.360	Teacher Quality and Urban Education	32 MoReg 762	32 MoReg 2092		32 MoReg 2096
5 CSR 80-800.380	Teacher Quality and Urban Education	32 MoReg 762	32 MoReg 2092		32 MoReg 2096
<b>DEPARTMENT OF HIGHER EDUCATION</b>					
6 CSR 10-2.140	Commissioner of Higher Education	32 MoReg 1891			
6 CSR 10-2.150	Commissioner of Higher Education	32 MoReg 1893			
<b>DEPARTMENT OF TRANSPORTATION</b>					
7 CSR 10-25.010	Missouri Highways and Transportation Commission				32 MoReg 1858 This Issue
7 CSR 10-25.030	Missouri Highways and Transportation Commission		32 MoReg 1550		
7 CSR 10-25.050	Missouri Highways and Transportation Commission <i>(Changed from 12 CSR 20-2.010)</i>		32 MoReg 1575		
7 CSR 10-25.060	Missouri Highways and Transportation Commission <i>(Changed from 12 CSR 20-6.010)</i>		32 MoReg 1577		
7 CSR 10-25.070	Missouri Highways and Transportation Commission <i>(Changed from 12 CSR 20-7.010)</i>		32 MoReg 1578		
7 CSR 10-25.071	Missouri Highways and Transportation Commission <i>(Changed from 12 CSR 20-7.020)</i>		32 MoReg 1579		
7 CSR 10-25.072	Missouri Highways and Transportation Commission <i>(Changed from 12 CSR 20-7.030)</i>		32 MoReg 1580		
7 CSR 10-25.073	Missouri Highways and Transportation Commission <i>(Changed from 12 CSR 20-7.040)</i>		32 MoReg 1582		
7 CSR 10-25.080	Missouri Highways and Transportation Commission <i>(Changed from 12 CSR 20-5.010)</i>		32 MoReg 1576		
7 CSR 10-25.090	Missouri Highways and Transportation Commission <i>(Changed from 12 CSR 20-7.060)</i>		32 MoReg 1583		
7 CSR 265-10.015	Motor Carrier and Railroad Safety <i>(Moved from 4 CSR 265-2.060)</i>	32 MoReg 2011	32 MoReg 2043		
7 CSR 265-10.050	Motor Carrier and Railroad Safety	32 MoReg 2015	32 MoReg 2049		
7 CSR 265-10.080	Motor Carrier and Railroad Safety	32 MoReg 2018	32 MoReg 2051		
7 CSR 265-10.120	Motor Carrier and Railroad Safety	32 MoReg 2022	32 MoReg 2054		

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<b>DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS</b>					
8 CSR 10-6.010	Division of Employment Security		32 MoReg 2056		
8 CSR 30-5.010	Division of Labor Standards	32 MoReg 1463	32 MoReg 1466		
8 CSR 30-5.020	Division of Labor Standards	32 MoReg 1464	32 MoReg 1468		
8 CSR 30-5.030	Division of Labor Standards	32 MoReg 1465	32 MoReg 1472		
<b>DEPARTMENT OF NATURAL RESOURCES</b>					
10 CSR 10-2.100	Air Conservation Commission		32 MoReg 1115R		
10 CSR 10-2.210	Air Conservation Commission		32 MoReg 1175		
10 CSR 10-3.030	Air Conservation Commission		32 MoReg 1115R		
10 CSR 10-4.090	Air Conservation Commission		32 MoReg 1115R		
10 CSR 10-5.070	Air Conservation Commission		32 MoReg 1116R		
10 CSR 10-6.045	Air Conservation Commission		32 MoReg 1116		
10 CSR 10-6.110	Air Conservation Commission		32 MoReg 976	This Issue	
10 CSR 10-6.241	Air Conservation Commission		32 MoReg 1118		
10 CSR 10-6.250	Air Conservation Commission		32 MoReg 1119		
10 CSR 10-6.260	Air Conservation Commission		32 MoReg 1180		
10 CSR 20-4.023	Clean Water Commission	32 MoReg 395	32 MoReg 633	32 MoReg 1852	
10 CSR 20-4.030	Clean Water Commission	32 MoReg 396	32 MoReg 636	32 MoReg 1852	
10 CSR 20-4.061	Clean Water Commission	32 MoReg 396	32 MoReg 638	32 MoReg 1853	
10 CSR 25-2.020	Hazardous Waste Management Commission		32 MoReg 640	This Issue	
10 CSR 60-13.010	Public Drinking Water Program	32 MoReg 398	32 MoReg 641	32 MoReg 1853	
10 CSR 70-1.010	Soil and Water Districts Commission			This Issue	
10 CSR 70-5.010	Soil and Water Districts Commission			This Issue	
10 CSR 80-9.010	Solid Waste Management		32 MoReg 323R	32 MoReg 1480R	
10 CSR 80-9.050	Solid Waste Management		32 MoReg 323	32 MoReg 1480	32 MoReg 1859
10 CSR 140-6.010	Division of Energy		32 MoReg 696	32 MoReg 1495	
<b>DEPARTMENT OF PUBLIC SAFETY</b>					
11 CSR 10-3.015	Adjutant General		32 MoReg 1182		
11 CSR 40-5.110	Division of Fire Safety		32 MoReg 841	32 MoReg 1967	
11 CSR 45-1.090	Missouri Gaming Commission		32 MoReg 579	32 MoReg 1495	
11 CSR 45-5.051	Missouri Gaming Commission		32 MoReg 581	32 MoReg 1496	
11 CSR 45-5.183	Missouri Gaming Commission		32 MoReg 581	32 MoReg 1496	
11 CSR 45-5.184	Missouri Gaming Commission		32 MoReg 582	32 MoReg 1496	
11 CSR 45-5.185	Missouri Gaming Commission		32 MoReg 585	32 MoReg 1499	
11 CSR 45-5.265	Missouri Gaming Commission		32 MoReg 587	32 MoReg 1501	
11 CSR 45-8.130	Missouri Gaming Commission		32 MoReg 590	32 MoReg 1502	
11 CSR 45-9.030	Missouri Gaming Commission		32 MoReg 591	32 MoReg 1503	
11 CSR 50-2.400	Missouri State Highway Patrol		32 MoReg 1122R	This IssueR	
<b>DEPARTMENT OF REVENUE</b>					
12 CSR 10-3.184	Director of Revenue		32 MoReg 1555R		
12 CSR 10-3.466	Director of Revenue		32 MoReg 1556R		
12 CSR 10-3.468	Director of Revenue		32 MoReg 1556R		
12 CSR 10-6.100	Director of Revenue	32 MoReg 1535	32 MoReg 1556		
12 CSR 10-22.010	Director of Revenue		32 MoReg 1559R		
12 CSR 10-22.020	Director of Revenue		32 MoReg 1559R		
12 CSR 10-23.170	Director of Revenue		32 MoReg 1031R	32 MoReg 2093R	
12 CSR 10-23.220	Director of Revenue		32 MoReg 1031R	32 MoReg 2093R	
12 CSR 10-23.285	Director of Revenue		32 MoReg 1031R	32 MoReg 2093R	
12 CSR 10-23.295	Director of Revenue		32 MoReg 1031	32 MoReg 2093	
12 CSR 10-23.365	Director of Revenue	32 MoReg 1536R	32 MoReg 1559R		
12 CSR 10-23.415	Director of Revenue		32 MoReg 1033R	32 MoReg 2093R	
12 CSR 10-23.460	Director of Revenue		32 MoReg 1033R	32 MoReg 2093R	
12 CSR 10-24.444	Director of Revenue		32 MoReg 1559		
12 CSR 10-26.200	Director of Revenue		32 MoReg 1560		
12 CSR 10-103.380	Director of Revenue	32 MoReg 1536	32 MoReg 1560		
12 CSR 10-103.381	Director of Revenue	32 MoReg 1537	32 MoReg 1561		
12 CSR 10-103.400	Director of Revenue	32 MoReg 1537	32 MoReg 1561		
12 CSR 10-103.555	Director of Revenue	32 MoReg 1537	32 MoReg 1562		
12 CSR 10-108.100	Director of Revenue		32 MoReg 1563		
12 CSR 10-110.200	Director of Revenue	32 MoReg 1539	32 MoReg 1567		
12 CSR 10-110.201	Director of Revenue	32 MoReg 1539	32 MoReg 1567		
12 CSR 10-110.210	Director of Revenue	32 MoReg 1540	32 MoReg 1568		
12 CSR 10-110.300	Director of Revenue	32 MoReg 1540	32 MoReg 1568		
12 CSR 10-110-600	Director of Revenue	32 MoReg 1541	32 MoReg 1569		
12 CSR 10-110.601	Director of Revenue	32 MoReg 1542	32 MoReg 1570		
12 CSR 10-111.010	Director of Revenue		32 MoReg 1571		
12 CSR 10-111.011	Director of Revenue	32 MoReg 1543	32 MoReg 1571		
12 CSR 10-111.061	Director of Revenue	32 MoReg 1544	32 MoReg 1572		
12 CSR 10-111.100	Director of Revenue	32 MoReg 1545	32 MoReg 1573		
12 CSR 10-111.101	Director of Revenue	32 MoReg 1545	32 MoReg 1573		
12 CSR 10-112.010	Director of Revenue	32 MoReg 1546	32 MoReg 1574		
12 CSR 10-400.250	Director of Revenue		32 MoReg 1574		
12 CSR 20-1.010	Director of Revenue		32 MoReg 1575R		
12 CSR 20-2.010	Director of Revenue		32 MoReg 1575		

(Changed to 7 CSR 10-25.050)

**Rule Changes Since Update**November 1, 2007  
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12 CSR 20-4.010	Director of Revenue		32 MoReg 1576R		
12 CSR 20-5.010	Director of Revenue <i>(Changed to 7 CSR 10-25.080)</i>		32 MoReg 1576		
12 CSR 20-6.010	Director of Revenue <i>(Changed to 7 CSR 10-25.060)</i>		32 MoReg 1577		
12 CSR 20-7.010	Director of Revenue <i>(Changed to 7 CSR 10-25.070)</i>		32 MoReg 1578		
12 CSR 20-7.020	Director of Revenue <i>(Changed to 7 CSR 10-25.071)</i>		32 MoReg 1579		
12 CSR 20-7.030	Director of Revenue <i>(Changed to 7 CSR 10-25.072)</i>		32 MoReg 1580		
12 CSR 20-7.040	Director of Revenue <i>(Changed to 7 CSR 10-25.073)</i>		32 MoReg 1582		
12 CSR 20-7.050	Director of Revenue		32 MoReg 1582R		
12 CSR 20-7.060	Director of Revenue <i>(Changed to 7 CSR 10-25.090)</i>		32 MoReg 1583		

**DEPARTMENT OF SOCIAL SERVICES**

13 CSR 35-31.025	Children's Division		This Issue		
13 CSR 35-32.010	Children's Division		32 MoReg 1122	This Issue	
13 CSR 40-2.370	Family Support Division		32 MoReg 1033		
13 CSR 40-31.025	Family Support Division		This IssueR		
13 CSR 40-32.010	Family Support Division	32 MoReg 693	32 MoReg 1123R	This IssueR	
13 CSR 40-110.030	Family Support Division		32 MoReg 1912		
13 CSR 70-3.020	Division of Medical Services		32 MoReg 697	32 MoReg 1505	
13 CSR 70-3.030	Division of Medical Services		32 MoReg 1914		
13 CSR 70-3.170	Division of Medical Services	32 MoReg 1167	32 MoReg 1183		
13 CSR 70-4.080	Division of Medical Services		32 MoReg 2061		
13 CSR 70-6.010	Division of Medical Services		32 MoReg 1918		
13 CSR 70-10.015	Division of Medical Services		32 MoReg 700	32 MoReg 1967	
		32 MoReg 2025			
13 CSR 70-10.030	Division of Medical Services	32 MoReg 1168	32 MoReg 1186		
13 CSR 70-10.060	Division of Medical Services		32 MoReg 1583		
13 CSR 70-10.080	Division of Medical Services		32 MoReg 716	32 MoReg 1974	
		32 MoReg 2026			
13 CSR 70-15.030	Division of Medical Services		32 MoReg 1396		
13 CSR 70-15.110	Division of Medical Services	32 MoReg 1169	32 MoReg 1189		
13 CSR 70-15.180	Division of Medical Services	32 MoReg 1087			

**DEPARTMENT OF CORRECTIONS**

14 CSR 80-1.010	State Board of Probation and Parole		32 MoReg 2064		
14 CSR 80-2.010	State Board of Probation and Parole		32 MoReg 2064R		
			32 MoReg 2064		
14 CSR 80-2.020	State Board of Probation and Parole		32 MoReg 2066R		
			32 MoReg 2066		
14 CSR 80-2.030	State Board of Probation and Parole		32 MoReg 2067R		
			32 MoReg 2067		
14 CSR 80-2.040	State Board of Probation and Parole		32 MoReg 2068R		
14 CSR 80-2.050	State Board of Probation and Parole		32 MoReg 2068R		

**ELECTED OFFICIALS**

15 CSR 30-52.030	Secretary of State		32 MoReg 1123		
15 CSR 30-70.010	Secretary of State	32 MoReg 1894	32 MoReg 1920		
15 CSR 30-70.020	Secretary of State	32 MoReg 1895	32 MoReg 1921		
15 CSR 30-70.030	Secretary of State	32 MoReg 1896	32 MoReg 1922		
15 CSR 30-70.040	Secretary of State	32 MoReg 1897	32 MoReg 1922		
15 CSR 30-70.050	Secretary of State	32 MoReg 1897	32 MoReg 1923		
15 CSR 30-70.060	Secretary of State	32 MoReg 1898	32 MoReg 1923		
15 CSR 30-70.070	Secretary of State	32 MoReg 1898	32 MoReg 1924		
15 CSR 30-70.080	Secretary of State	32 MoReg 1899	32 MoReg 1924		
15 CSR 30-70.090	Secretary of State	32 MoReg 1900	32 MoReg 1925		

**RETIREMENT SYSTEMS**

16 CSR 50-2.010	The County Employees' Retirement Fund		32 MoReg 2068		
16 CSR 50-2.090	The County Employees' Retirement Fund		32 MoReg 2069		
16 CSR 50-2.120	The County Employees' Retirement Fund		32 MoReg 2069		
16 CSR 50-10.030	The County Employees' Retirement Fund		32 MoReg 2069		

**BOARDS OF POLICE COMMISSIONERS**

17 CSR 20-2.025	St. Louis Board of Police Commissioners		32 MoReg 1472		
17 CSR 20-2.035	St. Louis Board of Police Commissioners		32 MoReg 1473		
17 CSR 20-2.075	St. Louis Board of Police Commissioners		32 MoReg 1473		
17 CSR 20-2.085	St. Louis Board of Police Commissioners		32 MoReg 1474		
17 CSR 20-2.105	St. Louis Board of Police Commissioners		32 MoReg 1474		
17 CSR 20-2.125	St. Louis Board of Police Commissioners		32 MoReg 1475		
17 CSR 20-2.135	St. Louis Board of Police Commissioners		32 MoReg 1476		

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<b>DEPARTMENT OF HEALTH AND SENIOR SERVICES</b>					
19 CSR 20-20.010	Division of Community and Public Health	32 MoReg 1087	32 MoReg 1124		
19 CSR 20-20.050	Division of Community and Public Health	32 MoReg 1089	32 MoReg 1125		
19 CSR 25-36.010	Division of Administration		32 MoReg 1125		
19 CSR 30-20.021	Division of Regulation and Licensure		32 MoReg 1191R		32 MoReg 1427
19 CSR 30-20.080	Division of Regulation and Licensure		32 MoReg 1191		
19 CSR 30-20.082	Division of Regulation and Licensure		32 MoReg 1197		
19 CSR 30-20.084	Division of Regulation and Licensure		32 MoReg 1202		
19 CSR 30-20.086	Division of Regulation and Licensure		32 MoReg 1202		
19 CSR 30-20.088	Division of Regulation and Licensure		32 MoReg 1208		
19 CSR 30-20.090	Division of Regulation and Licensure		32 MoReg 1213		
19 CSR 30-20.092	Division of Regulation and Licensure		32 MoReg 1218		
19 CSR 30-20.094	Division of Regulation and Licensure		32 MoReg 1224		
19 CSR 30-20.096	Division of Regulation and Licensure		32 MoReg 1230		
19 CSR 30-20.098	Division of Regulation and Licensure		32 MoReg 1236		
19 CSR 30-20.100	Division of Regulation and Licensure		32 MoReg 1242		
19 CSR 30-20.102	Division of Regulation and Licensure		32 MoReg 1249		
19 CSR 30-20.104	Division of Regulation and Licensure		32 MoReg 1254		
19 CSR 30-20.106	Division of Regulation and Licensure		32 MoReg 1259		
19 CSR 30-20.108	Division of Regulation and Licensure		32 MoReg 1259		
19 CSR 30-20.110	Division of Regulation and Licensure		32 MoReg 1264		
19 CSR 30-20.112	Division of Regulation and Licensure		32 MoReg 1270		
19 CSR 30-20.114	Division of Regulation and Licensure		32 MoReg 1275		
19 CSR 30-20.116	Division of Regulation and Licensure		32 MoReg 1282		
19 CSR 30-20.118	Division of Regulation and Licensure		32 MoReg 1288		
19 CSR 30-20.120	Division of Regulation and Licensure		32 MoReg 1291		
19 CSR 30-20.122	Division of Regulation and Licensure		32 MoReg 1294		
19 CSR 30-20.124	Division of Regulation and Licensure		32 MoReg 1297		
19 CSR 30-20.126	Division of Regulation and Licensure		32 MoReg 1300		
19 CSR 30-20.128	Division of Regulation and Licensure		32 MoReg 1303		
19 CSR 30-20.130	Division of Regulation and Licensure		32 MoReg 1306		
19 CSR 30-20.132	Division of Regulation and Licensure		32 MoReg 1309		
19 CSR 30-20.134	Division of Regulation and Licensure		32 MoReg 1312		
19 CSR 30-20.136	Division of Regulation and Licensure		32 MoReg 1315		
19 CSR 30-20.138	Division of Regulation and Licensure		32 MoReg 1318		
19 CSR 30-20.140	Division of Regulation and Licensure		32 MoReg 1321		
19 CSR 30-20.142	Division of Regulation and Licensure		32 MoReg 1324		
19 CSR 30-35.010	Division of Regulation and Licensure		32 MoReg 2070		
19 CSR 30-35.020	Division of Regulation and Licensure		32 MoReg 2072		
19 CSR 40-7.040	Division of Maternal, Child and Family Health	32 MoReg 2028			
19 CSR 40-7.050	Division of Maternal, Child and Family Health	32 MoReg 2028			
19 CSR 40-7.060	Division of Maternal, Child and Family Health	32 MoReg 2029			
19 CSR 40-10.010	Division of Maternal, Child and Family Health	32 MoReg 2030			
19 CSR 60-50	Missouri Health Facilities Review Committee				32 MoReg 1507 32 MoReg 1977 This Issue

<b>DEPARTMENT OF INSURANCE, FINANCIAL INSTITUTIONS AND PROFESSIONAL REGISTRATION</b>					
20 CSR	Construction Claims Binding Arbitration Cap				32 MoReg 667
20 CSR	Medical Malpractice				30 MoReg 481 31 MoReg 616 32 MoReg 545
20 CSR	Sovereign Immunity Limits				30 MoReg 108 30 MoReg 2587 31 MoReg 2019
20 CSR	State Legal Expense Fund Cap				32 MoReg 668
20 CSR 500-5.020	Property and Casualty		32 MoReg 1397		
20 CSR 500-5.025	Property and Casualty		32 MoReg 1407		
20 CSR 500-5.026	Property and Casualty		32 MoReg 1407		
20 CSR 500-5.027	Property and Casualty		32 MoReg 1408		
20 CSR 600-1.030	Statistical Reporting	32 MoReg 1023	32 MoReg 1034		
20 CSR 700-4.100	Licensing		32 MoReg 718	32 MoReg 1506	
20 CSR 700-6.350	Licensing		31 MoReg 931		
20 CSR 800-1.010	Administrative Procedures under the Insurance Laws		32 MoReg 2074		
20 CSR 800-1.020	Administrative Procedures under the Insurance Laws		32 MoReg 2074		
20 CSR 800-1.030	Administrative Procedures under the Insurance Laws		32 MoReg 2075		
20 CSR 800-1.040	Administrative Procedures under the Insurance Laws		32 MoReg 2076		
20 CSR 800-1.050	Administrative Procedures under the Insurance Laws		32 MoReg 2077		
20 CSR 800-1.060	Administrative Procedures under the Insurance Laws		32 MoReg 2078		
20 CSR 800-1.070	Administrative Procedures under the Insurance Laws		32 MoReg 2078		
20 CSR 800-1.080	Administrative Procedures under the Insurance Laws		32 MoReg 2079		
20 CSR 800-1.090	Administrative Procedures under the Insurance Laws		32 MoReg 2080		
20 CSR 800-1.100	General Counsel		32 MoReg 2080		
20 CSR 800-1.110	Administrative Procedures under the Insurance Laws		32 MoReg 2084		
20 CSR 800-1.120	Administrative Procedures under the Insurance Laws		32 MoReg 2085		
20 CSR 800-1.130	Administrative Procedures under the Insurance Laws		32 MoReg 2085		

**Rule Changes Since Update**

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20 CSR 800-1.140	Administrative Procedures under the Insurance Laws		32 MoReg 2086		
20 CSR 800-2.010	General Counsel		32 MoReg 2086		
20 CSR 800-3.010	Administrative Procedures under the Insurance Laws		32 MoReg 2087		
20 CSR 800-3.020	Administrative Procedures under the Insurance Laws		32 MoReg 2088		
20 CSR 800-3.040	Administrative Procedures under the Insurance Laws		32 MoReg 2089		
20 CSR 2030-2.040	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects		32 MoReg 1129	This Issue	
20 CSR 2030-2.050	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects		32 MoReg 1129	This Issue	
20 CSR 2030-4.050	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects		32 MoReg 1129	This Issue	
20 CSR 2030-4.070	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects		32 MoReg 1130	This Issue	
20 CSR 2030-5.110	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects		32 MoReg 1131	This Issue	
20 CSR 2030-8.020	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects		32 MoReg 1131	This Issue	
20 CSR 2030-10.010	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects		32 MoReg 1131	This Issue	
20 CSR 2030-11.020	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects		32 MoReg 1132	This Issue	
20 CSR 2030-11.030	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects		32 MoReg 1132	This Issue	
20 CSR 2030-16.050	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects		32 MoReg 1133	This Issue	
20 CSR 2030-16.100	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects		32 MoReg 1133	This Issue	
20 CSR 2030-17.050	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects		32 MoReg 1134	This Issue	
20 CSR 2030-17.070	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects		32 MoReg 1134	This Issue	
20 CSR 2030-18.070	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects		32 MoReg 1134	This Issue	
20 CSR 2040-8.010	Office of Athletics		32 MoReg 763	32 MoReg 1853	
20 CSR 2040-8.020	Office of Athletics		32 MoReg 764	32 MoReg 1854	
20 CSR 2040-8.030	Office of Athletics		32 MoReg 770	32 MoReg 1854	
20 CSR 2040-8.040	Office of Athletics		32 MoReg 774	32 MoReg 1854	
20 CSR 2040-8.050	Office of Athletics		32 MoReg 778	32 MoReg 1854	
20 CSR 2040-8.060	Office of Athletics		32 MoReg 779	32 MoReg 1854	
20 CSR 2040-8.070	Office of Athletics		32 MoReg 783	32 MoReg 1855	
20 CSR 2040-8.080	Office of Athletics		32 MoReg 783	32 MoReg 1855	
20 CSR 2040-8.090	Office of Athletics		32 MoReg 786	32 MoReg 1855	
20 CSR 2040-8.100	Office of Athletics		32 MoReg 786	32 MoReg 1855	
20 CSR 2040-8.110	Office of Athletics		32 MoReg 789	32 MoReg 1855	
20 CSR 2040-8.120	Office of Athletics		32 MoReg 790	32 MoReg 1855	
20 CSR 2040-8.130	Office of Athletics		32 MoReg 792	32 MoReg 1856	
20 CSR 2040-8.140	Office of Athletics		32 MoReg 794	32 MoReg 1856	
20 CSR 2040-8.150	Office of Athletics		32 MoReg 795	32 MoReg 1856	
20 CSR 2040-8.160	Office of Athletics		32 MoReg 795	32 MoReg 1856	
20 CSR 2040-8.170	Office of Athletics		32 MoReg 798	32 MoReg 1856	
20 CSR 2040-8.180	Office of Athletics		32 MoReg 798	32 MoReg 1856	
20 CSR 2040-8.190	Office of Athletics		32 MoReg 799	32 MoReg 1857	
20 CSR 2045-1.010	Athlete Agents		32 MoReg 1926		
20 CSR 2060-1.010	State Board of Barber Examiners		32 MoReg 1586R		
20 CSR 2060-1.015	State Board of Barber Examiners		32 MoReg 1586R		
20 CSR 2060-1.025	State Board of Barber Examiners		32 MoReg 1324R		
20 CSR 2060-1.030	State Board of Barber Examiners		32 MoReg 1586R		
20 CSR 2060-1.040	State Board of Barber Examiners		32 MoReg 1587R		
20 CSR 2060-2.015	State Board of Barber Examiners		32 MoReg 1587R		
20 CSR 2060-2.020	State Board of Barber Examiners		32 MoReg 1587R		
20 CSR 2060-2.030	State Board of Barber Examiners		32 MoReg 1587R		
20 CSR 2060-2.040	State Board of Barber Examiners		32 MoReg 1588R		
20 CSR 2060-2.050	State Board of Barber Examiners		32 MoReg 1588R		
20 CSR 2060-3.015	State Board of Barber Examiners		32 MoReg 1588R		
20 CSR 2060-4.015	State Board of Barber Examiners		32 MoReg 1589R		
20 CSR 2070-2.032	State Board of Chiropractic Examiners		32 MoReg 1324		
20 CSR 2070-2.040	State Board of Chiropractic Examiners		32 MoReg 1325		
20 CSR 2070-2.050	State Board of Chiropractic Examiners		32 MoReg 1325		
20 CSR 2070-2.060	State Board of Chiropractic Examiners		32 MoReg 1326		
20 CSR 2070-2.070	State Board of Chiropractic Examiners		32 MoReg 1326		
20 CSR 2070-2.080	State Board of Chiropractic Examiners		32 MoReg 1327R		
			32 MoReg 1327		
20 CSR 2070-2.081	State Board of Chiropractic Examiners		32 MoReg 1333		
20 CSR 2070-2.090	State Board of Chiropractic Examiners		32 MoReg 1335		
20 CSR 2070-3.010	State Board of Chiropractic Examiners		32 MoReg 1338		
20 CSR 2070-4.030	State Board of Chiropractic Examiners		32 MoReg 1338		
20 CSR 2085-1.010	Board of Cosmetology and Barber Examiners		32 MoReg 1589		
20 CSR 2085-2.010	Board of Cosmetology and Barber Examiners		32 MoReg 1592		



**Rule Changes Since Update**November 1, 2007  
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Rule Number	Agency	Emergency	Proposed	Order	In Addition
20 CSR 2090-12.040	State Board of Cosmetology		32 MoReg 1844R		
20 CSR 2090-12.050	State Board of Cosmetology		32 MoReg 1844R		
20 CSR 2090-12.060	State Board of Cosmetology		32 MoReg 1845R		
20 CSR 2090-12.070	State Board of Cosmetology		32 MoReg 1845R		
20 CSR 2090-12.080	State Board of Cosmetology		32 MoReg 1845R		
20 CSR 2090-12.090	State Board of Cosmetology		32 MoReg 1846R		
20 CSR 2090-12.100	State Board of Cosmetology		32 MoReg 1846R		
20 CSR 2090-13.010	State Board of Cosmetology		32 MoReg 1347R		
20 CSR 2090-13.020	State Board of Cosmetology		32 MoReg 1846R		
20 CSR 2090-13.030	State Board of Cosmetology		32 MoReg 1846R		
20 CSR 2090-13.040	State Board of Cosmetology		32 MoReg 1847R		
20 CSR 2090-13.050	State Board of Cosmetology		32 MoReg 1847R		
20 CSR 2090-13.060	State Board of Cosmetology		32 MoReg 1847R		
20 CSR 2090-13.070	State Board of Cosmetology		32 MoReg 1847R		
20 CSR 2090-14.010	State Board of Cosmetology		32 MoReg 1848R		
20 CSR 2110-2.070	Missouri Dental Board		32 MoReg 1408		
20 CSR 2110-2.071	Missouri Dental Board		32 MoReg 1409		
20 CSR 2110-2.130	Missouri Dental Board		32 MoReg 1929		
20 CSR 2110-2.161	Missouri Dental Board		32 MoReg 1929R		
20 CSR 2110-2.162	Missouri Dental Board		32 MoReg 1929R		
20 CSR 2110-2.190	Missouri Dental Board		32 MoReg 988	32 MoReg 1976	
20 CSR 2110-2.210	Missouri Dental Board		32 MoReg 988	32 MoReg 1976	
20 CSR 2150-2.001	State Board of Registration for the Healing Arts		32 MoReg 1409		
20 CSR 2150-3.010	State Board of Registration for the Healing Arts		32 MoReg 1347		
20 CSR 2150-3.020	State Board of Registration for the Healing Arts		32 MoReg 1410		
20 CSR 2150-3.090	State Board of Registration for the Healing Arts		32 MoReg 1410		
20 CSR 2150-4.052	State Board of Registration for the Healing Arts		32 MoReg 1347		
20 CSR 2150-4.200	State Board of Registration for the Healing Arts		32 MoReg 1411R		
20 CSR 2150-4.205	State Board of Registration for the Healing Arts		32 MoReg 1411		
20 CSR 2150-6.020	State Board of Registration for the Healing Arts		32 MoReg 1348		
20 CSR 2150-6.025	State Board of Registration for the Healing Arts		32 MoReg 2089R		
20 CSR 2150-9.050	State Board of Registration for the Healing Arts		32 MoReg 1349		
20 CSR 2197-1.040	Board of Therapeutic Massage		32 MoReg 1929		
20 CSR 2197-2.010	Board of Therapeutic Massage		32 MoReg 1934		
20 CSR 2197-2.020	Board of Therapeutic Massage		32 MoReg 1940		
20 CSR 2197-2.030	Board of Therapeutic Massage		32 MoReg 1942R		
			32 MoReg 1942		
20 CSR 2197-2.040	Board of Therapeutic Massage		32 MoReg 1946R		
			32 MoReg 1946		
20 CSR 2197-2.050	Board of Therapeutic Massage		32 MoReg 1950		
20 CSR 2197-3.005	Board of Therapeutic Massage		32 MoReg 1950		
20 CSR 2197-3.010	Board of Therapeutic Massage		32 MoReg 1950R		
			32 MoReg 1951		
20 CSR 2197-4.010	Board of Therapeutic Massage		32 MoReg 1955		
20 CSR 2197-4.020	Board of Therapeutic Massage		32 MoReg 1957R		
20 CSR 2197-5.010	Board of Therapeutic Massage		32 MoReg 1957		
20 CSR 2197-5.020	Board of Therapeutic Massage		32 MoReg 1957		
20 CSR 2197-5.030	Board of Therapeutic Massage		32 MoReg 1958		
20 CSR 2197-5.040	Board of Therapeutic Massage		32 MoReg 1958		
20 CSR 2200-2.001	State Board of Nursing		32 MoReg 843R	This IssueR	
			32 MoReg 843	This Issue	
20 CSR 2200-2.010	State Board of Nursing		32 MoReg 844R	This IssueR	
			32 MoReg 844	This Issue	
20 CSR 2200-2.020	State Board of Nursing		32 MoReg 853R	This IssueR	
			32 MoReg 853	This Issue	
20 CSR 2200-2.030	State Board of Nursing		32 MoReg 853R	This IssueR	
			32 MoReg 854	This Issue	
20 CSR 2200-2.035	State Board of Nursing		32 MoReg 854R	This IssueR	
			32 MoReg 854	This Issue	
20 CSR 2200-2.040	State Board of Nursing		32 MoReg 855R	This IssueR	
			32 MoReg 855	This Issue	
20 CSR 2200-2.050	State Board of Nursing		32 MoReg 859R	This IssueR	
			32 MoReg 859	This Issue	
20 CSR 2200-2.060	State Board of Nursing		32 MoReg 861R	This IssueR	
			32 MoReg 861	This Issue	
20 CSR 2200-2.070	State Board of Nursing		32 MoReg 864R	This IssueR	
			32 MoReg 864	This Issue	
20 CSR 2200-2.080	State Board of Nursing		32 MoReg 866R	This IssueR	
			32 MoReg 866	This Issue	
20 CSR 2200-2.085	State Board of Nursing		32 MoReg 866R	This IssueR	
			32 MoReg 867	This Issue	
20 CSR 2200-2.090	State Board of Nursing		32 MoReg 867R	This IssueR	
			32 MoReg 867	This Issue	
20 CSR 2200-2.100	State Board of Nursing		32 MoReg 868R	This IssueR	
			32 MoReg 868	This Issue	
20 CSR 2200-2.110	State Board of Nursing		32 MoReg 869R	This IssueR	
			32 MoReg 869	This Issue	

Rule Number	Agency	Emergency	Proposed	Order	In Addition
20 CSR 2200-2.120	State Board of Nursing		32 MoReg 872R 32 MoReg 872	This IssueR This Issue	
20 CSR 2200-2.130	State Board of Nursing		32 MoReg 872R 32 MoReg 873	This IssueR This Issue	
20 CSR 2200-2.180	State Board of Nursing		32 MoReg 873R 32 MoReg 873	This IssueR This Issue	
20 CSR 2200-3.001	State Board of Nursing		32 MoReg 877R 32 MoReg 877	This IssueR This Issue	
20 CSR 2200-3.010	State Board of Nursing		32 MoReg 878R 32 MoReg 878	This IssueR This Issue	
20 CSR 2200-3.020	State Board of Nursing		32 MoReg 887R 32 MoReg 887	This IssueR This Issue	
20 CSR 2200-3.030	State Board of Nursing		32 MoReg 887R 32 MoReg 888	This IssueR This Issue	
20 CSR 2200-3.035	State Board of Nursing		32 MoReg 888R 32 MoReg 888	This IssueR This Issue	
20 CSR 2200-3.040	State Board of Nursing		32 MoReg 889R 32 MoReg 889	This IssueR This Issue	
20 CSR 2200-3.050	State Board of Nursing		32 MoReg 893R 32 MoReg 893	This IssueR This Issue	
20 CSR 2200-3.060	State Board of Nursing		32 MoReg 895R 32 MoReg 895	This IssueR This Issue	
20 CSR 2200-3.070	State Board of Nursing		32 MoReg 898R 32 MoReg 898	This IssueR This Issue	
20 CSR 2200-3.080	State Board of Nursing		32 MoReg 900R 32 MoReg 900	This IssueR This Issue	
20 CSR 2200-3.085	State Board of Nursing		32 MoReg 900R 32 MoReg 901	This IssueR This Issue	
20 CSR 2200-3.090	State Board of Nursing		32 MoReg 901R 32 MoReg 901	This IssueR This Issue	
20 CSR 2200-3.100	State Board of Nursing		32 MoReg 902R 32 MoReg 902	This IssueR This Issue	
20 CSR 2200-3.110	State Board of Nursing		32 MoReg 903R 32 MoReg 903	This IssueR This Issue	
20 CSR 2200-3.120	State Board of Nursing		32 MoReg 906R 32 MoReg 906	This IssueR This Issue	
20 CSR 2200-3.130	State Board of Nursing		32 MoReg 906R 32 MoReg 907	This IssueR This Issue	
20 CSR 2200-3.180	State Board of Nursing		32 MoReg 907R 32 MoReg 907	This IssueR This Issue	
20 CSR 2200-4.010	State Board of Nursing		32 MoReg 1959		
20 CSR 2200-4.020	State Board of Nursing		32 MoReg 988	32 MoReg 1976	
20 CSR 2210-2.030	State Board of Optometry		32 MoReg 1135	This Issue	
20 CSR 2230-1.010	State Board of Podiatric Medicine		32 MoReg 1412		
20 CSR 2230-1.020	State Board of Podiatric Medicine		32 MoReg 1412		
20 CSR 2230-2.010	State Board of Podiatric Medicine		32 MoReg 1414		
20 CSR 2230-2.020	State Board of Podiatric Medicine		32 MoReg 1416R 32 MoReg 1416		
20 CSR 2230-2.021	State Board of Podiatric Medicine		32 MoReg 1418		
20 CSR 2230-2.023	State Board of Podiatric Medicine		32 MoReg 1418		
20 CSR 2230-2.050	State Board of Podiatric Medicine		32 MoReg 1422		
20 CSR 2230-2.065	State Board of Podiatric Medicine		32 MoReg 1422		
20 CSR 2232-1.040	Missouri State Committee of Interpreters		32 MoReg 1476		
20 CSR 2235-1.015	State Committee of Psychologists		32 MoReg 1963		
20 CSR 2235-2.040	State Committee of Psychologists		32 MoReg 1963		
20 CSR 2245-7.010	Real Estate Appraisers		32 MoReg 1423		
20 CSR 2255-4.010	Missouri Board for Respiratory Care		32 MoReg 1349		
20 CSR 2263-2.031	State Committee for Social Workers		32 MoReg 2090		
20 CSR 2270-1.021	Missouri Veterinary Medical Board		32 MoReg 1964		
20 CSR 2270-2.021	Missouri Veterinary Medical Board		32 MoReg 992	32 MoReg 1976	
20 CSR 2270-2.031	Missouri Veterinary Medical Board		32 MoReg 992	32 MoReg 1976	
20 CSR 2270-4.011	Missouri Veterinary Medical Board		32 MoReg 993	32 MoReg 1976	

Agency	Publication	Expiration
<b>Department of Economic Development</b> Division of Motor Carrier and Railroad Safety		
4 CSR 265-2.060 General Application Requirements for the Issuance and Transfer of Intrastate Motor Carrier Certificates, Permits and Temporary Authority	32 MoReg 2011 . . . . .	March 30, 2008
4 CSR 265-6.020 Freight Tariffs	32 MoReg 2014 . . . . .	March 30, 2008
<b>Department of Higher Education</b> Commissioner of Higher Education		
6 CSR 10-2.140 Institutional Eligibility for Student Participation	32 MoReg 1891 . . . . .	March 4, 2008
6 CSR 10-2.150 Student Eligibility for Application Procedures	32 MoReg 1893 . . . . .	March 4, 2008
<b>Department of Transportation</b> Motor Carrier Operations		
7 CSR 265-10.050 Tariffs, Time Schedules and Motor Carrier Documentation	32 MoReg 2015 . . . . .	March 30, 2008
7 CSR 265-10.080 Rules Governing the Transportation of Household Goods	32 MoReg 2018 . . . . .	March 30, 2008
7 CSR 265-10.120 Household Goods Tariffs	32 MoReg 2022 . . . . .	March 30, 2008
<b>Department of Labor and Industrial Relations</b> Division of Labor Standards		
8 CSR 30-5.010 Filing for Arbitration	32 MoReg 1463 . . . . .	February 28, 2008
8 CSR 30-5.020 Hearings Procedures for Arbitration	32 MoReg 1464 . . . . .	February 28, 2008
8 CSR 30-5.030 Awards by the Arbitrator	32 MoReg 1465 . . . . .	February 28, 2008
<b>Department of Revenue</b> Director of Revenue		
12 CSR 10-6.100 Motor Fuel Tax Exemption for Operators of Public Mass Transportation Service	32 MoReg 1535 . . . . .	February 23, 2008
12 CSR 10-23.365 Issuance of Nonresident Salvage-Buyer's Identification Card	32 MoReg 1536 . . . . .	February 23, 2008
12 CSR 10-103.380 Photographers, Photofinishers and Photoengravers, as Defined in Section 144.030, RSMo	32 MoReg 1536 . . . . .	February 23, 2008
12 CSR 10-103.381 Items Used or Consumed by Photographers, Photofinishers and Photoengravers, as Defined in Section 144.054, RSMo	32 MoReg 1537 . . . . .	February 23, 2008
12 CSR 10-103.400 Sales Tax on Vending Machine Sales, as Defined in Section 144.054, RSMo	32 MoReg 1537 . . . . .	February 23, 2008
12 CSR 10-103.555 Determining Taxable Gross Receipts	32 MoReg 1537 . . . . .	February 23, 2008
12 CSR 10-110.200 Ingredient or Component Part Exemption, as Defined in Section 144.030, RSMo	32 MoReg 1539 . . . . .	February 23, 2008
12 CSR 10-110.201 Materials and Other Goods Used or Consumed in Manufacturing, as Defined in Section 144.054, RSMo	32 MoReg 1539 . . . . .	February 23, 2008
12 CSR 10-110.210 Television and Radio Broadcasters	32 MoReg 1540 . . . . .	February 23, 2008
12 CSR 10-110.300 Common Carriers	32 MoReg 1540 . . . . .	February 23, 2008
12 CSR 10-110.600 Electrical Energy, as Defined in Section 144.030, RSMo	32 MoReg 1541 . . . . .	February 23, 2008
12 CSR 10-110.601 Electrical, Other Energy and Water, as Defined in Section 144.054, RSMo	32 MoReg 1542 . . . . .	February 23, 2008
12 CSR 10-111.011 Machinery, Equipment, Materials, and Chemicals Used or Consumed in Manufacturing, as Defined in Section 144.054, RSMo	32 MoReg 1543 . . . . .	February 23, 2008
12 CSR 10-111.061 Exempt Items Used or Consumed in Materials Recovery Processing, as Defined in Section 144.054, RSMo	32 MoReg 1544 . . . . .	February 23, 2008
12 CSR 10-111.100 Commercial Printers, as Defined in Section 144.030, RSMo	32 MoReg 1545 . . . . .	February 23, 2008
12 CSR 10-111.101 Items Used or Consumed by Commercial Printers, as Defined in Section 144.054, RSMo	32 MoReg 1545 . . . . .	February 23, 2008
12 CSR 10-112.010 Contractors	32 MoReg 1546 . . . . .	February 23, 2008
<b>Department of Social Services</b> Division of Medical Services		
13 CSR 70-3.170 Medicaid Managed Care Organization Reimbursement Allowance	32 MoReg 1167 . . . . .	December 27, 2007
13 CSR 70-10.015 Prospective Reimbursement Plan for Nursing Facility Services	32 MoReg 2025 . . . . .	March 28, 2008
13 CSR 70-10.030 Prospective Reimbursement Plan for Nonstate-Operated Facilities for ICF/MR Services	32 MoReg 1168 . . . . .	December 27, 2007
13 CSR 70-10.080 Prospective Reimbursement Plan for HIV Nursing Facility Services	32 MoReg 2026 . . . . .	March 29, 2008
13 CSR 70-15.110 Federal Reimbursement Allowance (FRA)	32 MoReg 1169 . . . . .	December 27, 2007
13 CSR 70-15.180 Grant to Trauma Hospitals for the Care Provided by Physicians Not Employed by the Hospital	32 MoReg 1087 . . . . .	December 12, 2007

## Elected Officials

### Secretary of State

<b>15 CSR 30-70.010</b>	Definitions . . . . .	32 MoReg 1894 . . . . .	February 28, 2008
<b>15 CSR 30-70.020</b>	Application Assistant Training, Registration and Renewal . . . . .	32 MoReg 1895 . . . . .	February 28, 2008
<b>15 CSR 30-70.030</b>	Program Participant Application and Certification Process . . . . .	32 MoReg 1896 . . . . .	February 28, 2008
<b>15 CSR 30-70.040</b>	Cancellation of Program Certification . . . . .	32 MoReg 1897 . . . . .	February 28, 2008
<b>15 CSR 30-70.050</b>	Exercise of Program Participant's Privileges . . . . .	32 MoReg 1897 . . . . .	February 28, 2008
<b>15 CSR 30-70.060</b>	Service of Process . . . . .	32 MoReg 1898 . . . . .	February 28, 2008
<b>15 CSR 30-70.070</b>	Program Participant Renewal . . . . .	32 MoReg 1898 . . . . .	February 28, 2008
<b>15 CSR 30-70.080</b>	Agency Disclosure Request . . . . .	32 MoReg 1899 . . . . .	February 28, 2008
<b>15 CSR 30-70.090</b>	Disclosure to Law Enforcement . . . . .	32 MoReg 1900 . . . . .	February 28, 2008

## Department of Health and Senior Services

### Division of Community and Public Health

<b>19 CSR 20-20.010</b>	Definitions Relating to Communicable, Environmental and Occupational Diseases . . . . .	32 MoReg 1087 . . . . .	January 1, 2008
<b>19 CSR 20-20.050</b>	Quarantine or Isolation Practices and Closing of Schools and Places of Public and Private Assembly . . . . .	32 MoReg 1089 . . . . .	January 1, 2008

### Division of Maternal, Child and Family Health

<b>19 CSR 40-7.040</b>	Definitions . . . . .	32 MoReg 2028 . . . . .	March 14, 2008
<b>19 CSR 40-7.050</b>	Program Eligibility . . . . .	32 MoReg 2028 . . . . .	March 14, 2008
<b>19 CSR 40-7.060</b>	Application Process . . . . .	32 MoReg 2029 . . . . .	March 14, 2008
<b>19 CSR 40-10.010</b>	Payments for Sexual Assault Forensic Examinations . . . . .	32 MoReg 2030 . . . . .	March 7, 2008

## Department of Insurance, Financial Institutions and Professional Registration

### Statistical Reporting

<b>20 CSR 600-1.030</b>	Medical Malpractice Statistical Data Reporting . . . . .	32 MoReg 1023 . . . . .	February 28, 2008
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### State Board of Registration for the Healing Arts

<b>20 CSR 2150-7.135</b>	Physician Assistant Supervision Agreements . . . . .	Dec. 3, 2007 Issue . . . . .	April 25, 2008
<b>20 CSR 2150-7.136</b>	Request for Waiver . . . . .	Dec. 3, 2007 Issue . . . . .	April 25, 2008

**Executive  
Orders****Subject Matter****Filed Date****Publication**2007

<b>07-01</b>	Authorizes Transportation Director to temporarily suspend certain commercial motor vehicle regulations in response to emergencies	January 2, 2007	32 MoReg 295
<b>07-02</b>	Declares that a State of Emergency exists in the State of Missouri, directs that the Missouri State Emergency Operations Plan be activated	January 13, 2007	32 MoReg 298
<b>07-03</b>	Directs the Adjutant General call and order into active service such portions of the organized militia as he deems necessary to aid the executive officials of Missouri, to protect life and property, and to support civilian authorities	January 13, 2007	32 MoReg 299
<b>07-04</b>	Vests the Director of the Missouri Department of Natural Resources with full discretionary authority to temporarily waive or suspend the operation of any statutory or administrative rule or regulation currently in place under his purview in order to better serve the interest of public health and safety during the period of the emergency and subsequent recovery period	January 13, 2007	32 MoReg 301
<b>07-05</b>	Transfers the Breath Alcohol Program from the Missouri Department of Health and Senior Services to the Missouri Department of Transportation	January 30, 2007	32 MoReg 406
<b>07-06</b>	Transfers the function of collecting surplus lines taxes from the Missouri Department of Insurance, Financial Institutions and Professional Registration to the Department of Revenue	January 30, 2007	32 MoReg 408
<b>07-07</b>	Transfers the Crime Victims' Compensation Fund from the Missouri Department of Labor and Industrial Relations to the Missouri Department of Public Safety	January 30, 2007	32 MoReg 410
<b>07-08</b>	Extends the declaration of emergency contained in Executive Order 07-02 and the terms of Executive Order 07-04 through May 15, 2007, for continuing cleanup efforts from a severe storm that began on January 12	February 6, 2007	32 MoReg 524
<b>07-09</b>	Orders the Commissioner of Administration to take certain specific cost saving actions with the OA Vehicle Fleet	February 23, 2007	32 MoReg 571
<b>07-10</b>	Reorganizes the Governor's Advisory Council on Physical Fitness and Health and relocates it to the Department of Health and Senior Services	February 23, 2007	32 MoReg 573
<b>07-11</b>	Designates members of staff with supervisory authority over selected state agencies	February 23, 2007	32 MoReg 576
<b>07-12</b>	Orders agencies to support measures that promote transparency in health care	March 2, 2007	32 MoReg 625
<b>07-13</b>	Orders agencies to audit contractors to ensure that they employ people who are eligible to work in the United States, and requires future contracts to contain language allowing the state to cancel the contract if the contractor has knowingly employed individuals who are not eligible to work in the United States	March 6, 2007	32 MoReg 627
<b>07-14</b>	Creates and establishes the Missouri Mentor Initiative, under which up to 200 full-time employees of the state of Missouri are eligible for one hour per week of paid approved work to mentor in Missouri public primary and secondary schools up to 40 hours annually	April 11, 2007	32 MoReg 757
<b>07-15</b>	Gov. Matt Blunt increases the membership of the Mental Health Transformation Working Group from eighteen to twenty-four members	April 23, 2007	32 MoReg 839
<b>07-16</b>	Creates and establishes the Governor's "Crime Laboratory Review Commission" within the Department of Public Safety	June 7, 2007	32 MoReg 1090
<b>07-17</b>	Gov. Matt Blunt activates portions of the Missouri National Guard in response to severe storms and potential flooding	May 7, 2007	32 MoReg 963
<b>07-18</b>	Gov. Matt Blunt declares a State of Emergency and directs the Missouri State Emergency Operations Plan be activated in response to severe storms that began May 5	May 7, 2007	32 MoReg 965
<b>07-19</b>	Gov. Matt Blunt authorizes the departments and agencies of the Executive Branch of Missouri state government to adopt a program by which employees may donate a portion of their annual leave benefits to other employees who have experienced personal loss due to the 2007 flood or who have volunteered in a flood relief	May 7, 2007	32 MoReg 967
<b>07-20</b>	Gov. Matt Blunt gives the director of the Department of Natural Resources the authority to suspend regulations in the aftermath of a flood emergency	May 7, 2007	32 MoReg 969
<b>07-21</b>	Orders agencies to evaluate the performance of all employees pursuant to the procedures of the Division of Personnel within the Office of Administration and that those evaluations be recorded in the Productivity, Excellence and Results for Missouri (PERforM) State Employee Online Appraisal System	July 11, 2007	32 MoReg 1389
<b>07-22</b>	Declares a State of Emergency and directs the Missouri State Emergency Operations Plan to be activated due to severe weather that began on June 4, 2007	July 3, 2007	32 MoReg 1391

**Executive  
Orders**

**Subject Matter**

**Filed Date**

**Publication**

<b>07-23</b>	Activates the state militia in response to the aftermath of severe storms that began on June 4, 2007	July 3, 2007	32 MoReg 1393
<b>07-24</b>	Orders the Commissioner of Administration to establish the Missouri Accountability Portal as a free Internet-based tool allowing citizens to view the financial transactions related to the purchase of goods and services and the distribution of funds for state programs	July 11, 2007	32 MoReg 1394
<b>07-25</b>	Declares that a State of Emergency exists in the State of Missouri and directs that the Missouri State Emergency Operations Plan be activated	August 24, 2007	32 MoReg 1902
<b>07-26</b>	Creates a Director/Administrator level multi-agency task force to address the concerns associated with feral hogs	August 30, 2007	32 MoReg 1904
<b>07-27</b>	Declares a drought alert for the counties of Bolinger, Butler, Cape Girardeau, Carter, Dunklin, Franklin, Iron, Jefferson, Madison, Mississippi, New Madrid, Pemiscot, Perry, Reynolds, Ripley, St. Charles, St. Francois, St. Louis, Ste. Genevieve, Scott, Stoddard, Washington, and Wayne	September 7, 2007	32 MoReg 2035
<b>07-28</b>	The Executive Order denoted 05-16 is hereby rescinded	September 10, 2007	32 MoReg 2037
<b>07-29</b>	Amends the membership and the duties of the Governor's Advisory Council on Aging	September 17, 2007	32 MoReg 2038
<b>07-30</b>	Lists members of staff having supervisory authority over departments, divisions or agencies	September 13, 2007	32 MoReg 2041
<b>07-31</b>	Creates the Rural High-Speed Internet Access Task Force to deal with the lack of high-speed Internet access in rural Missouri communities	October 10, 2007	Next Issue

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<b>06-01</b>	Designates members of staff with supervisory authority over selected state agencies	January 10, 2006	31 MoReg 281
<b>06-02</b>	Extends the deadline for the State Retirement Consolidation Commission to issue its final report and terminate operations to March 1, 2006	January 11, 2006	31 MoReg 283
<b>06-03</b>	Creates and establishes the Missouri Healthcare Information Technology Task Force	January 17, 2006	31 MoReg 371
<b>06-04</b>	Governor Matt Blunt transfers functions, personnel, property, etc. of the Division of Finance, the State Banking Board, the Division of Credit Unions, and the Division of Professional Registration to the Department of Insurance. Renames the Department of Insurance as the Missouri Department of Insurance, Financial Institutions and Professional Registration. Effective August 28, 2006	February 1, 2006	31 MoReg 448
<b>06-05</b>	Governor Matt Blunt transfers functions, personnel, property, etc. of the Missouri Rx Plan Advisory Commission to the Missouri Department of Health and Senior Services. Effective August 28, 2006	February 1, 2006	31 MoReg 451
<b>06-06</b>	Governor Matt Blunt transfers functions, personnel, property, etc. of the Missouri Assistive Technology Advisory Council to the Missouri Department of Elementary and Secondary Education. Rescinds certain provisions of Executive Order 04-08. Effective August 28, 2006	February 1, 2006	31 MoReg 453
<b>06-07</b>	Governor Matt Blunt transfers functions, personnel, property, etc. of the Missouri Life Sciences Research Board to the Missouri Department of Economic Development	February 1, 2006	31 MoReg 455
<b>06-08</b>	Names the state office building, located at 1616 Missouri Boulevard, Jefferson City, Missouri, in honor of George Washington Carver	February 7, 2006	31 MoReg 457
<b>06-09</b>	Directs and orders that the Director of the Department of Public Safety is the Homeland Security Advisor to the Governor, reauthorizes the Homeland Security Advisory Council and assigns them additional duties	February 10, 2006	31 MoReg 460
<b>06-10</b>	Establishes the Government, Faith-based and Community Partnership	March 7, 2006	31 MoReg 577
<b>06-11</b>	Orders and directs the Adjutant General to call and order into active service such portions of the organized militia as he deems necessary to aid the executive officials of Missouri, to protect life and property and to employ such equipment as may be necessary in support of civilian authorities	March 13, 2006	31 MoReg 580
<b>06-12</b>	Declares that a State of Emergency exists in the State of Missouri and directs that the Missouri State Emergency Operation Plan be activated	March 13, 2006	31 MoReg 582
<b>06-13</b>	The Director of the Missouri Department of Natural Resources is vested with full discretionary authority to temporarily waive or suspend the operation of any statutory or administrative rule or regulation currently in place under his purview in order to best serve the public health and safety during the period of the emergency and the subsequent recovery period	March 13, 2006	31 MoReg 584
<b>06-14</b>	Declares a State of Emergency exists in the State of Missouri and directs that the Missouri State Emergency Operation Plan be activated	April 3, 2006	31 MoReg 643

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<b>06-15</b> Orders and directs the Adjutant General, or his designee, to call and order into active service portions of the organized militia as he deems necessary to aid the executive officials of Missouri, to protect life and property, and take such action and employ such equipment as may be necessary in support of civilian authorities, and provide assistance as authorized and directed by the Governor	April 3, 2006	31 MoReg 645
<b>06-16</b> Declares that a State of Emergency exists in the State of Missouri, directs that the Missouri State Emergency Operations Plan be activated	April 3, 2006	31 MoReg 647
<b>06-17</b> Declares that a State of Emergency exists in the State of Missouri, directs that the Missouri State Emergency Operations Plan be activated	April 3, 2006	31 MoReg 649
<b>06-18</b> Authorizes the investigators from the Division of Fire Safety, the Park Rangers from the Department of Natural Resources, the Conservation Agents from the Department of Conservation, and other POST certified state agency investigators to exercise full state wide police authority as vested in Missouri peace officers pursuant to Chapter 590, RSMo during the period of this state declaration of emergency	April 3, 2006	31 MoReg 651
<b>06-19</b> Allows the director of the Missouri Department of Natural Resources to grant waivers to help expedite storm recovery efforts	April 3, 2006	31 MoReg 652
<b>06-20</b> Creates interim requirements for overdimension and overweight permits for commercial motor carriers engaged in storm recovery efforts	April 5, 2006	31 MoReg 765
<b>06-21</b> Designates members of staff with supervisory authority over selected state agencies	June 2, 2006	31 MoReg 1055
<b>06-22</b> Healthy Families Trust Fund	June 22, 2006	31 MoReg 1137
<b>06-23</b> Establishes Interoperable Communication Committee	June 27, 2006	31 MoReg 1139
<b>06-24</b> Establishes Missouri Abraham Lincoln Bicentennial Commission	July 3, 2006	31 MoReg 1209
<b>06-25</b> Declares that a State of Emergency exists in the State of Missouri, directs that the Missouri State Emergency Operations Plan be activated	July 20, 2006	31 MoReg 1298
<b>06-26</b> Directs the Adjutant General to call and order into active service such portions of the organized militia as he deems necessary to aid the executive officials of Missouri, to protect life and property, and to support civilian authorities	July 20, 2006	31 MoReg 1300
<b>06-27</b> Allows the director of the Missouri Department of Natural Resources to grant waivers to help expedite storm recovery efforts	July 21, 2006	31 MoReg 1302
<b>06-28</b> Authorizes Transportation Director to issue declaration of regional or local emergency with reference to motor carriers	July 22, 2006	31 MoReg 1304
<b>06-29</b> Authorizes Transportation Director to temporarily suspend certain commercial motor vehicle regulations in response to emergencies	August 11, 2006	31 MoReg 1389
<b>06-30</b> Extends the declaration of emergency contained in Executive Order 06-25 and the terms of Executive Order 06-27 through September 22, 2006, for the purpose of continuing the cleanup efforts in the east central part of the State of Missouri	August 18, 2006	31 MoReg 1466
<b>06-31</b> Declares that a State of Emergency exists in the State of Missouri, directs that the Missouri State Emergency Operations Plan be activated	September 23, 2006	31 MoReg 1699
<b>06-32</b> Allows the director of the Missouri Department of Natural Resources to grant waivers to help expedite storm recovery efforts	September 26, 2006	31 MoReg 1701
<b>06-33</b> Governor Matt Blunt orders all state employees to enable any state owned wireless telecommunications device capable of receiving text messages or emails to receive wireless AMBER alerts	October 4, 2006	31 MoReg 1847
<b>06-34</b> Governor Matt Blunt amends Executive Order 03-26 relating to the duties of the Information Technology Services Division and the Information Technology Advisory Board	October 11, 2006	31 MoReg 1849
<b>06-35</b> Governor Matt Blunt creates the Interdepartmental Coordination Council for Job Creation and Economic Growth	October 11, 2006	31 MoReg 1852
<b>06-36</b> Governor Matt Blunt creates the Interdepartmental Coordination Council for Laboratory Services and Utilization	October 11, 2006	31 MoReg 1854
<b>06-37</b> Governor Matt Blunt creates the Interdepartmental Coordination Council for Rural Affairs	October 11, 2006	31 MoReg 1856
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<b>06-39</b> Governor Matt Blunt creates the Mental Health Transformation Working Group	October 11, 2006	31 MoReg 1860
<b>06-40</b> Governor Matt Blunt creates the Interdepartmental Coordination Council for State Service Delivery Efficiency	October 11, 2006	31 MoReg 1863
<b>06-41</b> Governor Matt Blunt creates the Interdepartmental Coordination Council for Water Quality	October 11, 2006	31 MoReg 1865

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<b>06-42</b>	Designates members of staff with supervisory authority over selected state departments, divisions, and agencies	October 20, 2006	31 MoReg 1936
<b>06-43</b>	Closes state offices on Friday, November 24, 2006	October 24, 2006	31 MoReg 1938
<b>06-44</b>	Adds elementary and secondary education as another category with full membership representation on the Regional Homeland Security Oversight Committees in order to make certain that schools are included and actively engaged in homeland security planning at the state and local level	October 26, 2006	31 MoReg 1939
<b>06-45</b>	Directs the Department of Social Services to prepare a Medicaid beneficiary employer report to be submitted to the governor on a quarterly basis. Such report shall be known as the Missouri Health Care Responsibility Report	November 27, 2006	32 MoReg 6
<b>06-46</b>	Declares that a State of Emergency exists in the State of Missouri, directs that the Missouri State Emergency Operations Plan be activated	December 1, 2006	32 MoReg 127
<b>06-47</b>	Directs the Adjutant General call and order into active service such portions of the organized militia as he deems necessary to aid the executive officials of Missouri, to protect life and property, and to support civilian authorities	December 1, 2006	32 MoReg 129
<b>06-48</b>	Vests the Director of the Missouri Department of Natural Resources with full discretionary authority to temporarily waive or suspend the operation of any statutory or administrative rule or regulation currently in place under his purview in order to better serve the interest of public health and safety during the period of the emergency and subsequent recovery period	December 1, 2006	32 MoReg 131
<b>06-49</b>	Directs the Department of Mental Health to implement recommendations from the Mental Health Task Force to protect client safety and improve the delivery of mental health services	December 19, 2006	32 MoReg 212
<b>06-50</b>	Extends the declaration of emergency contained in Executive Order 06-46 and the terms of Executive Order 06-48 through March 1, 2007, for the purpose of continuing the cleanup efforts in the affected Missouri communities	December 28, 2006	32 MoReg 214

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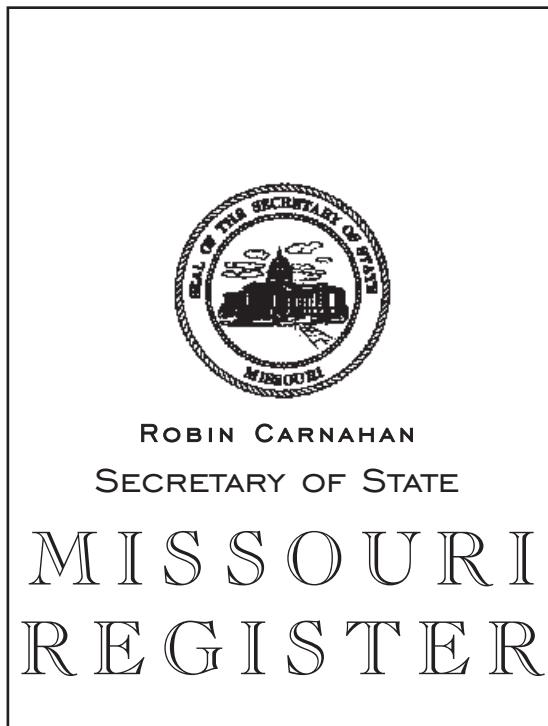
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